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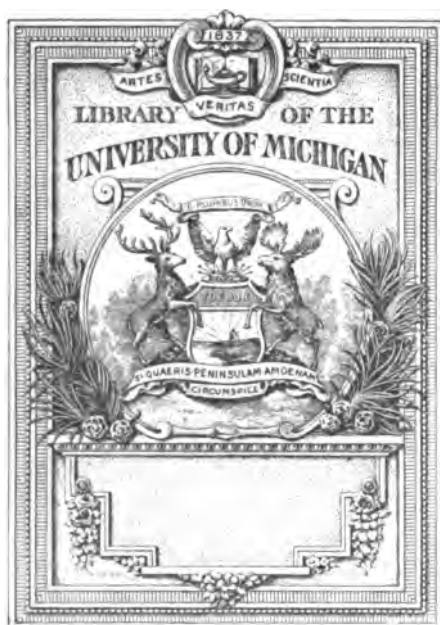
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BRITISH AND FOREIGN
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1890—1891.

VOL. LXXXIII.

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BRITISH AND FOREIGN

State Papers.

SPEECH of the Queen, on the Closing of the British Parliament.— Westminster, August 5, 1891.

My Lords and Gentlemen,

I AM glad to be able to release you from the labours of a protracted Session.

My relations with all other Powers continue to be those of peace and amity.

A Convention has been concluded with the King of Portugal, and has been ratified, defining the boundaries which separate the dominions and the spheres of influence of the two Crowns in Eastern Africa. I have also entered into an Agreement with the King of Italy, by which the line has been fixed which separates the Protectorate of Italy in the north-east of Africa from the British sphere of influence, and from the territory of Egypt.

I have made proposals to the President of the United States for submission to arbitration of the difference between us as to the seal fishery in Behring Sea. The negotiations are far advanced, but they are not yet concluded. A suspension of the seal fishery in those waters for the present year has intermediately been agreed to between the two Governments, in order to prevent an excessive destruction of the species which there is reason to apprehend.

The French Chambers have not yet approved of an Agreement between myself and the French Republic for reference to arbitration of certain differences with respect to Newfoundland which was signed during the present year.

The ratification of the Final Act of the Brussels Conference for the repression of the Slave Trade has also been postponed, and also the ratification of the North Sea Convention for the prevention of the sale of spirits at sea.

Gentlemen of the House of Commons,

I thank you for the provision you have made for the charge of the public service. I am glad that you have been able to devote a
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considerable sum to the mitigation of the burden which the Law of Compulsory Education has imposed upon the poorer portion of my people.

My Lords and Gentlemen,

The various measures which you have adopted in recent years for securing the observance of the law in Ireland, and improving the general condition of that country, have resulted in a marked abatement of agrarian offences, and a considerable advance in prosperity. The steps which have been taken to cope with the distress threatened by the serious failure of the potato crop in the poorer districts of the west of Ireland have proved effectual in averting the great calamity of famine. You have also passed a beneficent measure for dealing permanently with the congested districts of Ireland, which, it may be hoped, will, by fostering agriculture and stimulating the fishing industry, contribute largely to the prevention of similar dangers in the future.

The provisions for enabling occupying tenants to purchase their holdings, and the measure for facilitating the transfer of real property, in Ireland, will furnish the best guarantee for public security and order by increasing the class of small proprietors of land.

The Act which you have passed for imposing on the owners of land a direct liability for the payment of tithe rent-charge will remove a frequent cause of conflict between the occupiers and the tithe-owners, and will also afford relief to the tithe-payers in those cases in which it is most urgently required.

In response to the growing demands of commerce and agriculture, you have completed an important part of the work of simplifying and adjusting railway rates, the results of which will doubtless justify the heavy labour which it has involved.

The measures which you have passed for improving the law with respect to factories and workshops, savings banks, and public health will, I am confident, conduce to the comfort and well-being of my people.

I trust that in a future Session you may be able to examine several questions of interest to which I have drawn your attention, but which the time at your disposal has not permitted you to approach.

I pray that, in the discharge of your various duties throughout my kingdom, you may be attended by the guidance and protection of Almighty God.

*AGREEMENT between the Post Office of Great Britain and the Postal Administration of Uruguay, for the Exchange of Postal Parcels.—Signed at Monte Video, January 22, 1891; and at London, February 23, 1891.**

THE Post Office of the United Kingdom of Great Britain and Ireland and the Postal Administration of Uruguay agree to effect a regular exchange of parcels uninsured and without collection of value on delivery between Great Britain and Uruguay on the basis of the following stipulations.

The conditions of the exchange of parcels both as regards parcels exchanged direct between Great Britain and Uruguay and as regards parcels in transit are determined by the following Regulations:—

ART. I.—1. Parcels uninsured and without collection of value on delivery may be forwarded under the denomination of *postal parcels*, from the United Kingdom to Uruguay up to the weight of 11 pounds avoirdupois, and from Uruguay to the United Kingdom up to the weight of 5 kilog.

2. The two Administrations shall determine under what conditions as to packing, dimensions, &c., the parcels are allowed to circulate, and also, what classes of articles are prohibited.

II.—1. Each of the contracting countries guarantees the transit of parcels over its territory to or from any country with which such Contracting Party has parcel post arrangements; and the Offices which take part in the conveyance are held responsible within the limits determined by Article VIII below.

2. In the absence of any arrangement to the contrary between the Offices concerned, the conveyance of postal parcels thus exchanged between countries not contiguous is effected in closed bags, boxes, or baskets.

III. The prepayment of the postage on postal parcels is compulsory.

IV. The postage upon parcels from the United Kingdom for Uruguay or *vice versâ* is divided as follows:—

							Fr. c.
British territorial rate ..	..	..	..	..	..	..	1 63
Sea rate ..	..	..	..	..	..	..	2 50
Uruguay territorial rate	..	..	..	..	..	..	1 25
Total ..	..	..	..	..	..	..	5 35

* Signed also in the Spanish language.

V.—1. Parcels originating in either of the contracting countries addressed to the other contracting country cannot be subjected to any postal charge other than those contemplated by the foregoing Article IV and Article VI following.

2. The two Postal Administrations shall fix, by common consent, the conditions under which there may be exchanged between their respective offices of exchange postal parcels originating in or addressed to foreign countries and sent in transit through one or the other country.

VI. The re-direction of postal parcels from one country to another, in consequence of the removal of the addressees, as well as the return of undelivered postal parcels, gives rise to a supplementary charge of the rates fixed by Article IV against the addressees or the senders, if need be, without prejudice to the claim for reimbursement of the Customs duties paid.

VII. It is forbidden to send by post parcels containing letters or notes having the character of correspondence, or articles the admission of which is not authorized by the Customs or other laws or regulations of the countries concerned.

VIII.—1. Except in cases beyond control, when a postal parcel has been lost or damaged, the sender, and, in default or at the request of the sender, the addressee, is entitled to an indemnity corresponding with the actual amount of the loss or damage; provided always that this indemnity may not exceed 25 fr. The sender of a lost parcel has the right also to a refunding of the postage.

2. The obligation of paying the indemnity rests with the Administration to which the dispatching Office is subordinate. That Administration has its remedy against the responsible Administration, that is to say, against the Administration on the territory or in the service of which the loss or the damage took place.

3. Until the contrary be proved, the responsibility rests with the Administration which, having received the parcel without making any observation, is unable to establish either the delivery to the addressee or the regular transfer to the following Administration, as the case may be.

4. The payment of the indemnity by the dispatching Office shall take place as soon as possible, and at the latest within a year of the date of the application. The responsible Office is bound to refund to the dispatching Office, without delay, the amount of the indemnity paid by the latter.

5. It is understood that the application for an indemnity is only entertained if made within a year of the posting of the parcel; after this term the applicant has no right to any indemnity.

6. The Administrations cease to be responsible for postal parcels of which the owners have accepted delivery.

IX. The internal legislation of each of the contracting countries remains applicable as regards everything not provided for by the stipulations contained in the present Agreement.

X. The Postal Administrations of the contracting countries indicate the Offices or localities which they admit to the international exchange of postal parcels; they regulate the mode of transmission of those parcels, and fix all other measures of detail and order necessary for insuring the performance of the present Agreement.

XI.—1. The present Agreement shall come into operation on the 1st day of April, 1891, and shall remain in force until one of the Contracting Parties shall have announced to the other, one year in advance, its intention to determine it.

In witness whereof the Undersigned, duly authorized for that purpose, have signed the present Agreement, and have affixed thereto their seals.

Done in duplicate at Monte Video the 22nd day of January, 1891; and at London the 23rd day of February, 1891.

(L.S.) HENRY CECIL RAIKES.

(L.S.) CIPRIANO HERRERA.

DETAILED REGULATIONS.

ART. I.—1. THE exchange of postal parcels uninsured and without collection of value on delivery between Great Britain and the Republic of Uruguay is effected by the vessels of the Royal Mail Steam Packet Company.

2. Each Administration communicates to the other, by means of forms prepared in conformity with specimen (A) annexed, as follows:—

(a.) A list of the countries with which postal parcels may be exchanged through its territory.

(b.) The routes of conveyance available for postal parcels from the point of entry on its territory or its postal service.

(c.) The sum total of the payments for which the Administration from which the parcels are received is responsible on account of each country.

3. In conformity with these forms (A), each Administration fixes the routes to be employed for the transmission of its postal parcels, and determines the payments to be collected from the senders according to the regulations governing the transit correspondence.

II.—1. The collection of rates is based upon the unit of

50 centimes, the equivalent of 5*d.* in the United Kingdom and 10 centesimos in the Republic of Uruguay.

2. The postage to be collected is therefore as follows :—

(*a.*) In the United Kingdom, 4*s.* 6*d.*

(*b.*) In Uruguay, 1 peso 8 c.

3. When prepayment has not been effected by postage stamps affixed to the dispatch-note, the amount of the sum received must be inscribed on the dispatch-note.

III. The dimensions of parcels posted in the United Kingdom for Uruguay must not exceed 2 feet English in length, or 4 feet in length and girth combined; the dimensions of parcels posted in Uruguay for the United Kingdom must not exceed 60 centim. in length, or 20 cubic decim. in volume.

IV. Parcels containing live animals, explosive or combustible matter, and, in general, articles the transmission of which is attended with danger, are excluded from transmission.

V. Each parcel must be accompanied by a dispatch-note and by Customs declarations, in conformity with or analogous to specimens (B) and (C) hereto appended. The Administrations inform each other of the number of Customs declarations to be furnished for each destination.

VI. Each parcel, as well as the dispatch-note relating to it, must bear a label in conformity with, or analogous to, specimen (D) hereto annexed, indicating the registered number and the name of the office of posting.

The dispatch-note of parcels from Uruguay is, moreover, impressed by the Office of origin, on the address side, with a stamp indicating the place and date of posting.

On the dispatch-note of parcels from the United Kingdom the name of the Office where the parcel was posted and the date of posting may be entered in manuscript.

VII.—1. The Offices of Exchange are exclusively in the United Kingdom, London, and in Uruguay, Monte Video.

2. The transmission of parcels between the English and Uruguayan Offices of Exchange takes place by means of closed bags, boxes, or baskets.

3. The postal parcels are entered by the dispatching Office of Exchange in a parcel-bill, in conformity with specimen (E) annexed to the present Regulations, with all the details required by that form. The dispatch-notes and the Customs declarations, as well as the acknowledgments of receipt, must be securely attached to the parcel-bill.

4. Parcel-bills are prepared for the Office of Monte Video from the United Kingdom to Uruguay; and for the Office of London in the reverse direction.

VIII.—1. On the receipt of a parcel-bill, the receiving Office of Exchange proceeds to verify the postal parcels and the various documents relating thereto.

2. If the examination which takes place shall bring to light mistakes or other irregularities, they shall be reported by sending to the dispatching Office a verification certificate in conformity with the specimen (E) *bis* annexed, and those irregularities shall be attested in presence of two officers by making the necessary corrections with red ink on the parcel-bill in such a manner that the original entry can be seen.

3. This verification certificate shall be sent without delay, officially registered, to the dispatching Office, which shall return it with any observations to which it may give rise.

4. If the parcel-bill, verification certificate, Customs declarations, or any other document, or if one or more postal parcels are found to be missing, the nearest Office of Exchange shall be communicated with by means of a verification certificate.

5. When the receiving Office shall not have forwarded to the dispatching Office by the first mail a verification certificate reporting the errors or irregularities noticed in the previous despatches, the absence of this document shall be regarded as an acknowledgment of the receipt of the parcel-bill and its contents, so long as there is no proof to the contrary.

6. The bags, boxes, or baskets used for the mails are secured with the seals of the dispatching Office of Exchange, and such seals must only be removed by the Office of Exchange of destination.

7. The persons through whose hands the parcel mails pass when passing between the Offices of Exchange do no more than assure themselves that the seals attached to the bags, boxes, or baskets when received by them are intact.

8. Responsibility for damages or missing articles discovered by the arrival Office of Exchange, at the time of opening the bags, boxes, or baskets, falls upon the Administration to which the dispatching Office of Exchange is subordinate, unless it be proved that the articles were damaged or lost during the transit over the territory of the corresponding Administration.

IX.—1. Mis-sent parcels are forwarded to their destination by the most direct route at the disposal of the Office re-transmitting them. When this re-transmission involves the return of the parcels to the Office of origin, the amounts credited in the parcel-bill of that Office are cancelled, and the re-transmitting Office of Exchange sends these articles to the corresponding Office, simply recording them on the parcel-bill, after having called attention to the error by means of a verification certificate.

In these cases, and if the amount credited to the re-transmitting

Office is insufficient to cover the expenses of re-transmission which it has to defray, it recovers the difference by raising the amount entered to its credit in the parcel-bill of the dispatching Office of Exchange. The reason for this rectification is notified to the said Office by means of a verification certificate.

2. Postal parcels re-directed, in consequence of the removal of the addressees, to a country which participates in the exchange of postal parcels with Great Britain and Uruguay are subjected by the delivering Office to a charge, to be paid by the addressees, representing the quota due to this latter Office, to the re-directing Office, and to each intermediary Office if there be any.

The re-directing Office credits itself with its quota by charging it to the intermediary Office or to the Office of the new destination. In case the re-directing country and that of the new destination are not adjacent, the first intermediary Office which receives a re-directed postal parcel credits itself with the amount of its quota and with that of the re-directing Office by charging them to the Office to which it delivers the parcel; and the latter, in its turn, if it is itself only an intermediary, charges its own quota against the next Office, with the addition of what has been credited to the preceding Office. The same operation is repeated between the several Offices taking part in the conveyance, until the postal parcel reaches the delivering Office.

But if the amount chargeable for the further conveyance of a re-directed parcel is paid at the time of its re-direction, the parcel is dealt with as if it had been addressed direct from the re-transmitting country to the country of destination, and delivered without any postal charge to the addressee.

3. The senders of parcels which cannot be delivered shall be consulted as to the manner in which they wish to dispose of them. Communications on the subject shall be exchanged direct between the two Administrations.

Articles liable to deterioration or corruption may, however, be sold immediately, without previous notice or judicial formality, for the benefit of the right party. An account of the sale is drawn up.

If, within six months after the dispatch of a letter of inquiry, the Office of destination has not received instructions from the sender, the parcel will be returned to the Office of origin.

Parcels which have to be returned to the sender are entered on the parcel-bill with the addition of the word "Undelivered" in the column for observations. They are dealt with and taxed like articles re-directed in consequence of the removal of the addressees.

4. Postal parcels, the addressees of which have left for a country which has not agreed to the exchange of parcels between Great

Britain and Uruguay, are dealt with as undeliverable, unless the office of the first destination be in a position to forward the parcel to the addressee.

X.—1. Each Administration causes each of its exchanging Offices to prepare monthly for all the mails received from the exchanging Offices of one and the same Administration, a statement, in conformity with specimen (F) appended to the present Regulations, of the sums entered in each parcel-bill, whether to its credit, for its own share, and that of each of the Administrations, if any, concerned in the rates levied by the dispatching Office, or to its debit, for the share due to the re-directing Office and to the intermediary Offices, of the rates to be recovered from the addressees in the case of re-directed or returned parcels.

2. The statements (F) are afterwards recapitulated by the same Administration in an account, specimen (G), also appended to the present Regulations.

3. This account, accompanied by the monthly statements, the parcel-bills, and, if any, the verification certificates relating thereto, is submitted to the examination of the corresponding Office in the course of the month which follows that to which it relates.

4. The monthly accounts, after having been verified and accepted on both sides, are included in a general annual account by the Office to which the balance is due.

5. The payment resulting from the balance of the accounts between two Offices is made by the indebted Office in francs, in specie, and by means of bills drawn on the capital, or one of the commercial towns of the country to which the balance is due; the expense attendant on the payment being at the charge of the indebted Office.

6. The drawing up, transmission, and payment of the accounts must be effected as early as possible and at the latest before the expiration of the quarter following the yearly period mentioned in paragraph 4. After the expiration of this term the sums due from one Office to another bear interest at the rate of 5 per cent. per annum, to be reckoned from the date of expiration of the said term.

7. The option is, however, reserved to the two Administrations of adopting, by mutual consent, measures other than those formulated in the present Article.

XI.—1. The Administrations shall reciprocally communicate to each other some time before the execution of the Agreement all their laws and regulations relating to the conveyance of postal parcels.

2. Every subsequent modification effected in these Regulations must be notified without delay.

tracting Parties further agree to permit his own subjects to be appointed to Consular offices by the other Contracting Party, provided always that the persons so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government residing in the dominions of the other shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

IV. There shall be perfect freedom of commerce and navigation between the High Contracting Parties; each shall allow the subjects of the other to enter all ports, creeks, and rivers with their vessels and cargoes, also to travel, reside, pursue commerce and trade, whether wholesale or retail, in each other's dominions, and therein to hire, purchase, and possess houses, warehouses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import, or native production, whether intended for sale within the dominions of His Highness or for export, and to arrange with the owner or his agent regarding the price of all such goods and produce without interference of any sort on the part of the authorities of His Highness.

His Highness the Sultan of Muscat binds himself not to allow or recognize the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

V. Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire by gift, purchase, intestate succession, or under will, or any other legal manner, land, houses, and property of every description, whether movable or immovable, to possess the same; and freely to dispose thereof by sale, barter, donation, or otherwise.

VI. His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandize, of whatever description, imported by sea from foreign countries into His Highness' dominions. This duty shall be paid at that port in His Highness' dominions where the goods are first landed, and, on payment thereof, such goods shall thereafter be exempt, within the Sultan's dominions, from all other customs duties or taxes, levied by, or on behalf of, the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty, once paid, shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

There shall, however, be exempted from payment of all duty the following, namely:—

1. All goods and merchandize which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Muscat, or which have been for this purpose provisionally landed and deposited in any of the Sultan's custom-houses to await the arrival of a vessel in which to be reshipped aboard. But goods and merchandize so landed shall be exempted only, provided that the consignee or his agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the said foreign port as originally declared, within a period not exceeding six months after their first landing, and without having, in the interval, changed owners.

2. All goods and merchandize which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods are reshipped within a month of being so landed and transported abroad. Should, however, such goods or merchandize, here spoken of, be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

3. Coals, naval provisions, stores, and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's navy.

4. All goods and merchandize transhipped or landed for the repair of damage caused by stress of weather or other disaster at sea, provided the cargo so discharged shall be reshipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other manner.

VII. No article whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Muscat, and no export duties are to be levied on goods exported from those territories except with the consent of the Government of Her Britannic Majesty, such consent being subject to the conditions that may be laid down in the notifications intimating the same.

VIII. It is agreed and understood by the High Contracting

tiaries appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments as experience shall prove to be desirable.

In witness whereof Colonel Edward Charles Ross, C.S.I., on behalf of Her Majesty the Queen of Great Britain and Ireland, and Empress of India, and His Highness Seyyid Feysal-bin-Turki, Sultan of Muscat, on his own behalf, have signed the same and affixed thereto their respective seals.

Done at Muscat, this 19th day of March, 1891, corresponding to the 8th Shaaban of the year 1308 Hijreea.

(L.S.) EDWARD CHARLES ROSS, *Colonel, Political Resident in the Persian Gulf.*

(L.S.) (Signature in Arabic of His Highness the Sultan of Muscat.)

*PROTOCOL (Mode of terminating Treaty of March 19, 1891).—
Muscat, February 20, 1892.*

The Undersigned in proceeding to the exchange of ratifications of the Treaty signed at Muscat on the 19th March, 1891, between Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Highness Seyyid Feysal-bin-Turki, Sultan of Muscat, have agreed to the present Protocol, which shall have the same force and validity as if it had been inserted in the body of the Treaty itself.

It is agreed that under Article XXIII of the said Treaty either of the High Contracting Parties shall be at liberty, after the expiration of 12 years from the date on which the Treaty has come into force, to terminate the said Treaty at any time on giving 12 months' notice.

In witness whereof the Undersigned, duly authorized for the purpose, have signed the present Protocol, in quadruplicate, and have affixed thereto their seals.

Done at Muscat, on the 20th day of February, 1892.

(L.S.) A. C. TALBOT, *Lieutenant-Colonel, Political Resident, Persian Gulf.*

(L.S.) (Signature in Arabic of His Highness the Sultan of Muscat.)

PROTOCOLS between the Governments of Great Britain and Italy, for the Demarcation of their respective Spheres of Influence in Eastern Africa.—Signed at Rome, March 24, 1891, and April 15, 1891.

No. 1.—Protocol signed on the 24th March, 1891.

Les Soussignés,

Marquis de Dufferin et Ava, Ambassadeur de Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes; et

Marquis de Rudini, Président du Conseil et Ministre des Affaires Étrangères de Sa Majesté le Roi d'Italie;

Après mûr examen des intérêts respectifs des deux pays dans l'Afrique Orientale, sont convenus de ce qui suit:—

1. La ligne de démarcation, dans l'Afrique Orientale, entre les sphères d'influence respectivement réservées à la Grande-Bretagne et à l'Italie, suivra, à partir de la mer, le "thalweg" du fleuve de Juba jusqu'au 6° de latitude nord, Kismayu avec son territoire à la droite du fleuve restant ainsi à l'Angleterre. La ligne suivra ensuite le parallèle 6° nord jusqu'au méridien 35° est Greenwich, qu'elle remontera jusqu'au Nil Bleu.

2. Si les explorations ultérieures venaient, plus tard, en indiquer l'opportunité, le tracé suivant le 6° latitude nord et le 35° longitude est Greenwich pourra, dans ses détails, être amendé d'un commun accord, d'après les conditions hydrographiques et orographiques de la contrée.

3. Il y aura, dans la station de Kismayu et son territoire, égalité de traitement entre sujets et protégés des deux pays, soit pour leurs personnes, soit à l'égard de leurs biens, soit enfin en ce qui concerne l'exercice de toute sorte de commerce et industrie.

Fait à Rome, en double exemplaire, le 24 Mars, 1891.

(L.S.) DUFFERIN AND AVA.

(L.S.) RUDINI.

No. 2.—Protocol signed on the 15th April, 1891.

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Marquis de Dufferin et Ava, Ambassadeur de Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes ;

Marquis de Rudini, Président du Conseil et Ministre des Affaires Étrangères de Sa Majesté le Roi d'Italie ;

Sont convenus de ce qui suit :—

I. La sphère d'influence réservée à l'Italie est limitée, au nord et à l'ouest, par une ligne tracée depuis Ras Kasar sur la Mer Rouge au point d'intersection du 17^e parallèle nord avec le 37^e méridien est Greenwich. Le tracé, après avoir suivi ce méridien jusqu'au 16° 30' latitude nord, se dirige, depuis ce point, en ligne droite, à Sabderat, laissant ce village à l'est. Depuis ce village le tracé se dirige au sud jusqu'à un point sur le Gash à 20 milles Anglais en amont de Kassala, rejoignant l'Atbara au point indiqué comme étant un gué dans la Carte de Werner Munzinger, "Original-karte von Nord Abessinien und den Länder am Mareb, Barca, und Anseba," de 1864 (Gotha, Justus Perthes), et situé au 14° 52' latitude nord. Le tracé remonte ensuite l'Atbara jusqu'au confluent du Kor Kakamot (Hahamot), d'où il va dans la direction d'ouest jusqu'à la rencontre du Kor Lemsen, qu'il redescend jusqu'à son confluent avec le Rahad. Enfin, le tracé, après avoir suivi le Rahad pour le bref trajet entre le confluent du Kor Lemsen et l'intersection du 35° longitude est Greenwich, s'identifiera, dans la direction du sud, avec ce méridien jusqu'à la rencontre du Nil Bleu, sauf amendements ultérieurs de détails d'après les conditions hydrographiques et orographiques de la contrée.

II. Le Gouvernement Italien aura la faculté, au cas où il serait obligé de le faire pour les besoins de sa situation militaire, d'occuper Kassala et la contrée attenante jusqu'à l'Atbara. Cette occupation ne pourra, en aucun cas, s'étendre au nord, ni au nord-est de la ligne suivante :—

De la rive droite de l'Atbara, en face de Gos Rejeb, la ligne va dans la direction d'est jusqu'à l'intersection du 36^e méridien est Greenwich ; de là, tournant au sud-est, elle passe à 3 milles au sud des points marqués Filik et Metkinab dans la carte précitée de Werner Munzinger, et rejoint le tracé mentionné dans l'Article I à 25 milles Anglais au nord de Sabderat, mesurés le long du dit tracé.

Il est cependant convenu entre les deux Gouvernements que toute occupation militaire temporaire du territoire additionnel spécifié dans cette Article n'abrogera pas les droits du Gouvernement Égyptien sur le dit territoire, mais ces droits demeureront seulement en suspens jusqu'à ce que le Gouvernement Égyptien sera en mesure de réoccuper le district en question jusqu'au tracé

indiqué dans l'Article I de ce Protocole, et d'y maintenir l'ordre et la tranquillité.

III. Le Gouvernement Italien s'engage à ne construire sur l'Atbara, en vue de l'irrigation, aucun ouvrage qui pourrait sensiblement modifier sa défluence dans le Nil.

IV. L'Italie aura, pour ses sujets et protégés, ainsi que pour leurs marchandises, le passage en franchise de droits sur la route entre Metemma et Kassala, touchant successivement El Affareh, Doka, Suk-Abu-Sin (Ghedaref), et l'Atbara.

Fait à Rome, en double exemplaire, ce 15 Avril, 1891.

(L.S.) DUFFERIN AND AVA.

(L.S.) RUDINI.

ADDITIONAL ARTICLES to the Convention between Great Britain and Sweden of the 7th September, 1881, for an Exchange of Post-office Money Orders.—Signed at London, April 10, 1891 ; and at Stockholm, April 17, 1891.†*

THE Postmaster-General of the United Kingdom of Great Britain and Ireland and the Director-General of Posts of the Kingdom of Sweden have agreed upon the following additional Articles to the Convention of the 7th September, 1881, for the exchange of money orders between the two countries.

ART. I. The second paragraph of Article V of the above-named Convention shall be cancelled and the following paragraph shall be substituted for it:—

“The commission shall belong to the issuing office, but the British Post Office shall pay to the Post Office of Sweden one-half of one per cent. on the total amount of money orders issued in the United Kingdom for payment in Sweden, and the Swedish Office shall pay the same percentage to the British Office on the amount of money orders issued in Sweden for payment in the United Kingdom.”

The words “one-half of one per cent.” shall also be substituted for the words “one per cent.” in the Account Forms (B) and (D) annexed to the above-named Convention.

II. The second paragraph of Article XI of the said Convention shall also be cancelled, and the following paragraph shall be substituted for it:—

“The amounts of all orders not paid before the expiration of that

* Vol. LXXII, page 31.

† Signed also in the Swedish language.

period shall revert to, and be at the disposal of, the administration of the country of origin."

III. The foregoing Articles I and II shall take effect from the 1st day of May, 1891, and shall remain in force as long as the above mentioned Convention of the 17th September, 1881.

Done in duplicate and signed in London on the 10th day of April, 1891, and at Stockholm on the 17th day of April, 1891.

(L.S.) HENRY CECIL RAIKES, *Postmaster-General of the United Kingdom of Great Britain and Ireland.*

(L.S.) E. VON KRUSENSTJERNA, *Generalpostdirektör i Konungariket Sverige.*

PROTOCOL between Great Britain and Uruguay, amending the Treaty of March 26, 1884, for the Mutual Extradition of Fugitive Criminals.—Signed at Monte Video, March 20, 1891.†*

[Ratifications exchanged at Monte Video, July 17, 1891.]

MONTE VIDEO, the 20th day of March, 1891, their Excellencies Mr. Ernest Mason Satow, Companion of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Minister Resident and Consul-General, and Dr. Manuel Herrero y Espinosa, Minister of Foreign Affairs, having met together at the Ministry for Foreign Affairs, with the object of providing for the extension of the period stipulated in Article IX of the Treaty for the Extradition of Criminals in force between their respective countries, for the provisional arrest of persons charged with any of the crimes or offences specified in the said Treaty, and having exchanged their full powers, which were found to be in good and due form, have agreed to the following Declaration, which shall be considered an integral part of the said international Compact:—

"The period of 30 days fixed by Article IX of the Treaty for the Extradition of Criminals in force between the Oriental Republic of the Uruguay and Great Britain for the provisional arrest of persons charged with any of the crimes or offences specified in the said Treaty, being thoroughly recognized as insufficient, both Governments agree that the said period shall henceforth be fixed at 60 days."

* Vol. LXXV, page 18.

† Signed also in the Spanish language.

In witness whereof the said Plenipotentiaries have caused the present Protocol to be drawn up in duplicate, and have signed both copies, and thereto affixed their seals on the date above expressed.

(L.S.) ERNEST MASON SATOW.

(L.S.) MANUEL HERRERO Y ESPINOSA.

*DECLARATION between Great Britain and Belgium, respecting the North Sea Fisheries.—Signed at Brussels, May 2, 1891.**

[Ratifications exchanged at Brussels, August 26, 1891.]

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of the Belgians, being desirous of simplifying the procedure for the settlement of differences between British and Belgian fishermen in the North Sea outside territorial waters, and of reducing as much as possible the injuries they may sustain from the fouling of their fishing gear, have agreed upon the following provisions:—

ART. I. Whenever a complaint involving a claim for damages shall be preferred by a fisherman of one of the two countries against a fisherman of the other country, it shall be referred for preliminary inquiry—in Belgium, to a Commission composed of, at least, two officers appointed by the Minister of Railways, Posts, and Telegraphs; in the United Kingdom, to a Commission also composed of, at least, two officers appointed by the Board of Trade; these officers shall hold their inquiry at the place where the allegations of the complainants can most easily be verified.

II. No complaint shall be transmitted either to the British or to the Belgian Government, as the case may be, unless—

1. The Commission has recognized it as well founded;
2. Such fishermen as are specified by the Commission engage themselves to appear in person in case they should be summoned to give evidence.

III. The complaints must be accompanied by—

1. A Report from the Commission of Inquiry;
2. A certificate from this Commission, verifying the ownership of the lost or injured fishing gear;
3. A certificate of an expert nominated (as the case may be), in the United Kingdom by the Board of Trade, in Belgium by the

* Signed also in the French language.

Minister of Railways, Posts, and Telegraphs, and giving an estimate of the damages in money value.

These certificates must be forwarded through the proper diplomatic channel, and shall be received as evidence unless the contrary is proved.

IV. When a fisherman fouls or otherwise interferes with the fishing gear of another fisherman, he shall take all necessary measures for reducing to a minimum the injuries which may result to the gear or to the boat of the other fisherman.

V. In the Kingdom of Belgium the Tribunal which has cognizance of an infraction of the North Sea Fisheries Convention of the 6th May, 1882,* or of Article IV of the present Declaration, shall be empowered to award damages for injury to person or property on the request of the injured party and at the suit of the Official Prosecutor.

The execution of awards of damages shall be effected, on the application of the Official Prosecutor, by the competent Administration, which will advance the costs and recover them from the condemned parties according to the usual process of law in such cases.

In the United Kingdom the Court before which proceedings are taken for the above-mentioned infractions shall be empowered, at the suit of the Official Prosecutor on the request of the injured party, to award damages for injury to person or property, and the Official Prosecutor shall, at his own cost, recover the sum so awarded, or so much thereof as is possible, from the parties liable.

The amount of damages recovered, as stipulated above, shall be remitted free of cost to the injured party through the proper diplomatic channel.

VI. The High Contracting Parties engage to take, or to propose to their respective Legislatures, the necessary measures for insuring the execution of the present Declaration, and especially for punishing, either by fine or imprisonment, or both, persons who may contravene Article IV.

VII. The present Declaration shall be ratified, and the ratifications shall be exchanged at Brussels as soon as possible.

VIII. The present Declaration shall come into force at a date to be agreed upon subsequently by the High Contracting Parties.

It shall remain in force for three years from that date, and in the event of neither of the High Contracting Parties having notified 12 months before the expiry of the said period of three years their intention of terminating it, it shall continue to remain in force for a year, and so on from year to year.

* Vol. LXXIII, page 39.

In witness whereof the undersigned Envoy Extraordinary and Minister Plenipotentiary at Brussels of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the undersigned Minister for Foreign Affairs of His Majesty the King of the Belgians, have drawn up the present Declaration in duplicate, and have affixed thereto the seals of their arms.

Done at Brussels, the 2nd May, 1891.

(L.S.) VIVIAN.

(L.S.) LE PRINCE DE CHIMAY.

PROTOCOLE (Date upon which Declaration of May 2, 1891, shall come into force).—Bruxelles, le 26 Août, 1891.

LES Soussignés se sont réunis à l'effet de procéder à l'échange des ratifications de Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, et de Sa Majesté le Roi des Belges, sur la Déclaration signée, le 2 Mai, 1891, entre la Grande-Bretagne et la Belgique, en vue de faciliter la procédure pour le règlement des conflits entre pêcheurs Anglais et pêcheurs Belges dans la Mer du Nord, en dehors des eaux territoriales, et de réduire les dommages qu'ils peuvent éprouver par l'effet du contact de leurs appareils.

Ces actes ont été trouvés exacts et concordants, et l'échange en a été opéré.

Les Soussignés, dûment autorisés, sont de plus convenus, de commun accord, que la Déclaration précitée sera mise en vigueur le 15 Septembre, 1891.

En foi de quoi les Soussignés ont dressé le présent procès-verbal qu'ils ont signé et revêtu de leurs cachets.

Fait en double à Bruxelles, le 26 Août, 1891.

(L.S.) VIVIAN.

(L.S.) LE PRINCE DE CHIMAY.

DECLARATION between Great Britain and Portugal, prolonging the Duration of the Agreement of November 14, 1890, respecting Spheres of Influence in Africa, until the 14th June, 1891.—London, May 13, 1891.*

WHEREAS the Agreement between Great Britain and Portugal of the 14th November, 1890, relative to their respective spheres of

* Vol. LXXXII, page 336.

influence in Africa, would cease to be in force on the 14th day of May, 1891, and the two Governments having recognized the utility of prolonging its duration, the Undersigned, duly authorized to that effect, have agreed to declare as follows:—

The said Agreement between Great Britain and Portugal of the 14th November, 1890, will continue to remain in force until the 14th June next.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto their seals.

Done at London, the 13th day of May, 1891.

(L.S.) SALISBURY.

(L.S.) LUIZ DE SOVERAL.

*AGREEMENT between Great Britain and Tonga, relative to the Trial of British Subjects by the Tongan Courts.—Signed at Nukualofa, June 2, 1891.**

THE Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the King of Tonga, being desirous of simplifying and rendering more efficacious the provisions of Article III of the Treaty of Friendship concluded between their said Majesties on the 29th November, 1879,† the Undersigned, duly authorized to that effect, hereby agree and declare that—

1. Subsection (b) of Article III of the said Treaty is hereby cancelled, and the following substituted in place thereof:—

If any subject of Her Britannic Majesty is charged with the violation of any Law or Regulation in Tonga relating to Customs, taxation, public health, or local police, not cognizable as an offence against British law, he shall be amenable to the jurisdiction of the Tongan Courts, the proceedings of which shall be conducted in public, and the records of which shall be public and accessible.

2. Subsection (c) of Article III of the said Treaty is hereby cancelled.

3. The present Articles shall come immediately into operation, and shall be construed as forming an integral part of the Treaty of the 29th November, 1879.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto their seals.

* Signed also in the Tongan language.

† Vol. LXX, page 9.

Done in duplicate at Nukualofa on the 2nd day of June, in the year of Our Lord 1891.

(L.S.) JOHN B. THURSTON.

(L.S.) JIAOJI FATAFEHI.

TREATY between Great Britain and Portugal, defining the Spheres of Influence of the two Countries in Africa.—Signed at Lisbon, June 11, 1891.

[Ratifications exchanged at London, July 3, 1891.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, &c., and His Most Faithful Majesty the King of Portugal and Algarves, &c., with a view to settle definitively the boundaries of their respective spheres of influence in Africa, and being animated with the desire to confirm the friendly relations between the two Powers, have determined to conclude a Treaty to this effect, and have named as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir George Glynn Petre, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Most Faithful Majesty, &c.; and

SUA Magestade Fidelissima El Rei de Portugal e dos Algarves, &c., e Sua Magestade a Rainha do Reino Unido da Gran Bretanha e Irlanda, Imperatriz das Indias, &c., no intuito de regular definitivamente a delimitação das suas respectivas esferas d'influencia na Africa, e animados do desejo de assegurar as relações de amizade entre as duas Potencias, resolveram celebrar um Tratado para esse fim, e nomearam seus Plenipotenciarios, a saber:

Sua Magestade Fidelissima El Rei de Portugal e dos Algarves, a Joaquim Thomaz Lobo d'Avila, Conde de Valbom, do Conselho de Sua Magestade e do d'Estado, Par do Reino, Gran Cruz da Ordem Militar de Nosso Senhor Jesus Christo, Cavalleiro da Ordem Militar de São Bento d'Aviz, e Gran Cruz de diferentes Ordens estrangeiras, seu Ministro e Secretario d'Estado dos Negocios Estrangeiros, &c.; e

His Most Faithful Majesty the King of Portugal and Algarves, Joaquim Thomaz Lobo d'Avila, Count of Valbom, Councillor of His Majesty and of State, Peer of the Realm, Grand Cross of the Military Order of Our Lord Jesus Christ, Knight of the Military Order of St. Bento d'Aviz, and Grand Cross of various foreign Orders, &c., His Majesty's Minister and Secretary of State for Foreign Affairs, &c.;

Who, having communicated to each other their respective full powers, found in good and due order, have agreed upon and concluded the following Articles:—

ART. I. Great Britain agrees to recognize as within the dominion of Portugal in East Africa the territories bounded—

1. To the north by a line which follows the course of the River Rovuma from its mouth up to the confluence of the River M'Sinje, and thence westerly along the parallel of latitude of the confluence of these rivers to the shore of Lake Nyasa.

2. To the west by a line which, starting from the above-mentioned frontier on Lake Nyasa, follows the eastern shore of the lake southwards as far as the parallel of latitude $13^{\circ} 30'$ south; thence it runs in a south-easterly direction to the eastern shore of Lake Chiuta, which it follows. Thence it runs in a direct line to the eastern shore of Lake

Sua Magestade a Rainha do Reino Unido da Gran Bretanha e Irlanda, Imperatriz das Indias, a Sir George Glynn Petre, Comendador da Muito Distincta Ordem de São Miquel e São Jorge, Cavalleiro da Muito Nobre Ordem do Banho, seu Enviado Extraordinario e Ministro Plenipotenciario na Côrte de Sua Magestade Fidelissima, &c.;

Os quaes, depois de haverem trocado os seus respectivos plenos poderes, que acharam em bôa e devida forma, convieram nos seguintes Artigos:—

ART. 1. A Gran Bretanha concorda em reconhecer como comprehendidos no dominio de Portugal na Africa Oriental os territorios limitados—

1. Ao norte por uma linha que, subindo o curso do Rio Rovuma, desde a sua foz até ao ponto de confluencia do Rio M'Sinje, d'ahi segue na direcção de oeste o paralelo de latitude do ponto de confluencia d'estes dois rios até á margem do Lago Nyasa.

2. A oeste por uma linha que, partindo do citado limite sobre o Lago Nyasa, segue a margem oriental d'este lago na sua direcção sul até ao parallel $13^{\circ} 30'$ de latitude sul; corre d'ahi na direcção sueste até á margem oriental do Lago Chiuta, a qual acompanha até ao seu extremo. Segue d'ahi em linha recta até á margem oriental do Lago Chilwa

Chilwa or Shirwa, which it follows to its south-easternmost point; thence in a direct line to the easternmost affluent of the River Ruu, and thence follows that affluent, and, subsequently, the centre of the channel of the Ruu to its confluence with the River Shiré.

From the confluence of the Ruu and Shiré the boundary will follow the centre of the channel of the latter river to a point just below Chiwanga. Thence it runs due westward until it reaches the watershed between the Zambezi and the Shiré, and follows the watershed between those rivers and afterwards between the former river and Lake Nyasa until it reaches parallel 14° of south latitude.

From thence it runs in a south-westerly direction to the point where south latitude 15° meets the River Aroangwa or Loangwa, and follows the mid-channel of that river to its junction with the Zambezi.

II. To the south of the Zambezi, the territories within the Portuguese sphere of influence are bounded by a line which, starting from a point opposite the mouth of the River Aroangwa or Loangwa, runs directly southwards as far as the 16th parallel of south latitude, follows that parallel to its intersection with the 31st degree of longitude east of Greenwich, thence running eastward direct to the point where the River Mazoe is intersected by the 33rd degree of longitude east of Greenwich;

ou Chirua, pela qual continua até ao seu extremo limite a sul e oriente; d'ahi por uma [*sic*] recta até ao affluente mais oriental do Rio Ruu, correndo com este affluente e seguindo subsequentemente pela linha media do leito do Ruu até á confluencia d'este com o Rio Chire.

Da confluencia do Ruu e do Chire, a fronteira seguirá a linha central do leito do ultimo d'estes rios, até a um ponto logo abaixo de Chiuanga. D'ahi correrá exactamente para oeste até encontrar a linha divisoria das aguas entre o Zambeze e o Chire, e seguirá essa linha entre estes rios e depois entre o primeiro rio e o Lago Nyasa até encontrar o paralelo 14° de latitude sul.

D'ahi correrá na direcção de sud-oeste até ao ponto em que o paralelo de 15° de latitude sul encontra o Rio Aroangwa, e seguirá a linha media d'este rio até á sua junção com o Zambeze.

II. Ao sul do Zambeze os territorios comprehendidos na esphera de influencia Portugueza são limitados por uma linha que, partindo d'um ponto fronteiro á embocadura do Rio Aroangwa ou Loangwa, vae na direcção sul até ao paralelo 16° de latitude sul, segue este paralelo até á sua intersecção com o 31° de longitude leste Greenwich, corre para leste direito ao ponto onde o 33° de longitude leste de Greenwich corta o Rio Mazoe e segue esse 33° para o sul até á sua intersecção pelo paralelo

it follows that degree southward to its intersection by the $18^{\circ} 30'$ parallel of south latitude; thence it follows the upper part of the eastern slope of the Manica plateau southwards to the centre of the main channel of the Sabi, follows that channel to its confluence with the Lunde, whence it strikes direct to the north-eastern point of the frontier of the South African Republic, and follows the eastern frontier of the Republic, and the frontier of Swaziland, to the River Maputo.

It is understood that in tracing the frontier along the slope of the plateau, no territory west of longitude $32^{\circ} 30'$ east of Greenwich shall be comprised in the Portuguese sphere, and no territory east of longitude 33° east of Greenwich shall be comprised in the British sphere. The line shall, however, if necessary, be deflected so as to leave Mutassa in the British sphere, and Massi-Kessi in the Portuguese sphere.

III. Great Britain engages not to make any objection to the extension of the sphere of influence of Portugal, south of Delagoa Bay, as far as a line following the parallel of the confluence of the River Pongolo with the River Maputo to the sea coast.

IV. It is agreed that the western line of division separating the British from the Portuguese sphere of influence in Central Africa shall follow

$18^{\circ} 30'$ de latitude sul; d'ahi acompanha a crista da vertente oriental do planalto de Manica na sua direcção sul até á linha media do leito principal do Save, seguindo por elle até á sua confluencia com o Lunde, d'onde corta direito ao extremo nordeste da fronteira da Republica Sul Africana, continuando pelas fronteiras orientaes d'esta Republica e da Swazilandia até ao Rio Maputo.

Fica entendido que ao traçar a fronteira ao longo da crista do planalto, nenhum territorio a oeste do meridiano de $32^{\circ} 30'$ de longitude leste de Greenwich será comprehendido na esphera Portuguesa, e que nenhum territorio a leste do meridiano de 33° de longitude leste de Greenwich ficará comprehendido na esphera Britannica. Esta linha soffrerá contudo, sendo necessario, a inflexão bastante para que Mutassa fique na esphera Britannica e Macequece na esphera Portuguesa.

III. A Gran Bretanha obriga-se a nao pôr obstaculos á extensão da esphera de influencia Portuguesa ao sul de Lourenço Marques até uma linha que, partindo da confluencia do Rio Pongolo com o Rio Maputo, segue o paralelo d'este ponto até á costa maritima.

IV. Fica estabelecido que a linha divisoria occidental separando a esphera Inglesa da esphera de influencia Portuguesa na Africa Central subirá o centro

the centre of the channel of the Upper Zambezi, starting from the Katima Rapids up to the point where it reaches the territory of the Barotse Kingdom.

That territory shall remain within the British sphere; its limits to the westward, which will constitute the boundary between the British and Portuguese spheres of influence, being decided by a Joint Anglo-Portuguese Commission, which shall have power, in case of difference of opinion, to appoint an Umpire.

It is understood on both sides that nothing in this Article shall affect the existing rights of any other State. Subject to this reservation, Great Britain will not oppose the extension of Portuguese administration outside of the limits of the Barotse country.

V. Portugal agrees to recognize, as within the sphere of influence of Great Britain on the north of the Zambezi, the territories extending from the line to be settled by the Joint Commission mentioned in the preceding Article to Lake Nyasa, including the islands in that lake south of parallel 11° 30' south latitude, and to the territories reserved to Portugal by the line described in Article I.

VI. Portugal agrees to recognize, as within the sphere of influence of Great Britain to the south of the Zambezi, the territories bounded on the east and north-east by the line described in Article II.

do leito do Zambeze superior, partindo das cataractas de Katima até ao ponto em que entra no territorio do Reino de Barotse.

Este territorio permanecerá incluído na esphera Britannica, e os seus limites occidentaes, que constituirão a linha divisoria entre as espheras de influencia Inglesa e Portuguesa, serão traçados por uma Comissão Mixta Anglo-Portuguesa, que terá a faculdade, em caso de discordancia de pareceres, de nomear um arbitro de desempate.

Fica entendido, por ambas as partes, que as disposições d'este Artigo não poderão ferir os direitos existentes de qualquaer outro Estado. Sob esta reserva a Gran Bretanha não se opporá á extensão da administração de Portugal até aos limites do Barotse.

V. Portugal concorda em reconhecer, como comprehendidos na esphera de influencia Britannica ao norte de Zambeze, os territorios que da linha traçada pela Comissão Mixta a que se refere o Artigo antecedente, vão até ao Lago Nyasa, incluindo as ilhas d'aquelle lago ao sul de paralelo 11° 30' latitude sul, e até aos territorios reservados a Portugal pela linha descripta no Artigo I.

VI. Portugal concorda em reconhecer, como comprehendidos na esphera de influencia Britannica ao sul de Zambeze, os territorios limitados a leste e nordeste pela linha descripta no Artigo II.

VII. All the lines of demarcation traced in Articles I to VI shall be subject to rectification by agreement between the two Powers, in accordance with local requirements.

The two Powers agree that in the event of one of them proposing to part with any of the territories to the south of the Zambezi assigned by these Articles to their respective spheres of influence, the other shall be recognized as possessing a preferential right to the territories in question, or any portion of them, upon terms similar to those proposed.

VIII. The two Powers engage that neither will interfere with any sphere of influence assigned to the other by Articles I to VI. One Power will not, in the sphere of the other, make acquisitions, conclude Treaties, or accept sovereign rights or Protectorates. It is understood that no Companies nor individuals subject to one Power can exercise sovereign rights in a sphere assigned to the other, except with the assent of the latter.

IX. Commercial or mineral Concessions and rights to real property possessed by Companies or individuals belonging to either Power shall, if their validity is duly proved, be recognized in the sphere of the other Power. For deciding on the validity of mineral Concessions given by the legitimate authority within 30 miles of either side of the

VII. Todas as linhas de demarcação traçadas no Artigos I a VI serão, por accordo entre as duas Potencias, rectificaveis em harmonia com as necessidades locais.

As duas Potencias accordam em que no caso de uma d'ellas desejar alienar quaesquer territorios ao sul do Zambeze incluídos na sua esphera de influencia pelos presentes Artigos, será reconhecido á outra o direito de preferencia a esses territorios ou a qualquer parte d'elles, sob condições identicas as condições que tiverem sido propostas.

VIII. Cada uma das Potencias obriga-se a não intervir na esphera de influencia que respectivamente fôr determinada á outra pelos Artigos I a VI. Nenhuma das Potencias fará aquisições, celebrará Tratados, aceitará direitos soberanos ou Protectorados na esphera da outra. Fica entendido que nem Companhias nem particulares dependentes de uma das Potencias poderão exercer direitos soberanos na esphera reconhecida á outra, a não ser que para isso tenham o consentimento d'esta.

IX. As Concessões commerciaes ou mineiras e os direitos de propriedade de Companhias ou individuos dependentes de uma das duas Potencias serão reconhecidos na esphera da outra Potencia quando devidamente se prove a sua validade. Para decidir da validade das Concessões mineiras feitas pela auctoridade legitima d'uma area

frontier south of the Zambezi, a Tribunal of Arbitration is to be named by common agreement.

It is understood that such Concessions must be worked according to local regulations and laws.

X. In all territories in East and Central Africa belonging to or under the influence of either Power, missionaries of both countries shall have full protection. Religious toleration and freedom for all forms of divine worship and religious teaching are guaranteed.

XI. The transit of goods across Portuguese territories situated between the East Coast and the British sphere shall not, for a period of twenty-five years from the ratification of this Convention, be subjected to duties in excess of 3 per cent. for imports or for exports. These dues shall in no case have a differential character, and shall not exceed the customs dues levied on the same goods in the above-mentioned territories.

Her Majesty's Government shall have the option, within five years from the date of the signature of this Agreement, to claim freedom of transit for the remainder of the period of 25 years on payment of a sum capitalizing the annual duties for that period at the rate of 30,000*l.* a-year.

de 30 milhas para um ou outro lado da fronteira ao sul do Zambeze, será nomeado de common accordo um Tribunal Arbitral.

Fica entendido que taes Concessões serão exploradas em harmonia com as leis e os regulamentos locais.

X. En todos os territorios de Africa Oriental e Central pertencentes ás duas Potencias, ou sob a influencia d'ellas, gosarão os missionarios de uma e outra nação de plena protecção. Fica garantida a tolerancia religiosa e a liberdade de todos os cultos e ensino religioso.

XI. Ao transito de mercadorias pelos territorios Portuguezes situados entre a costa oriental e a esphera Britannica não serão impostos, por um praso de vinte e cinco annos, contados da ratificação d'esta Convenção, direitos que excedam 3 por cento, quer na importação quer na exportação. Estes direitos em caso algum terão caracter differencial, e não excederão os direitos aduaneiros estabelecidos sobre as mesmas mercadorias nos referidos territorios.

O Governo de Sua Magestade Britannica terá a opção, dentro do praso de cinco annos, contados da data da assignatura d'este Accordo, para pedir a liberdade do transito para o resto do praso de vinte e cinco annos, mediante o pagamento de uma somma que corresponda á capitalisação dos direitos annuaes durante esse praso, calculados na

Coin and precious metals of all descriptions shall be imported and exported to and from the British sphere free of transit duty.

It is understood that there shall be freedom for the passage of subjects and goods of both Powers across the Zambezi, and through the districts adjoining the left bank of the river situated above the confluence of the Shiré, and those adjoining the right bank of the Zambezi situated above the confluence of the River Luenha (Ruenga), without hindrance of any description and without payment of transit dues.

It is further understood that in the above-named districts each Power shall have the right, so far as may be reasonably required for the purpose of communication between territories under the influence of the same Power, to construct roads, railways, bridges, and telegraph lines across the district reserved to the other. The two Powers shall have the right of acquiring in these districts on reasonable conditions the land necessary for such objects, and shall receive all other requisite facilities. Portugal shall have the same rights in the British territory on the banks of the Shiré and in the British territory comprised between the Portuguese territory and the banks of Lake

rasão de 30,000 libras esterlinas por anno.

A moeda e os metaes preciosos de qualquer especie serão importados e exportados para dentro e para fóra da esphera Britannica sem pagamento de direitos de transito.

Fica entendido que haverá liberdade para os subditos e mercadorias de ambas as Potencias atravessarem tanto o Zambeze como os districtos marginaes do lado esquerdo do rio, e situados acima da confluencia do Chire, e ainda os districtos marginaes do lado direito do Zambeze situados acima da confluencia do Rio Luenha (Ruenga), sem que a esse passagem seja posto qualquer obstaculo, e sem pagamento de direitos de transito.

Fica outrosim entendido que, nos districtos acima mencionados, cada uma das Potencias terá, tanto quanto for rasoavelmente necessario para o estabelecimento das communicações entre territorios que estão sob a sua influencia, o direito de construir estradas, caminhos de ferro, pontes e linhas telegraphicas através dos districtos pertencentes á outra Potencia. As duas Potencias gosarão n'estas zonas da faculdade de adquirir em condições rasoaveis o terreno necessario para taes fins, sendo-lhes tambem concedidos as demais facilidades indispensaveis. Portugal terá iguaes direitos nos territorios Britannicos das margens do Chire e nos territorios Britannicos comprehendi-

Nyasa. Any railway so constructed by one Power, on the territory of the other shall be subject to local regulations and laws agreed upon between the two Governments, and, in case of differences of opinion, subject to arbitration as hereinafter mentioned.

The two Powers shall also be allowed facilities for constructing on the rivers within the above districts piers and landing-places for the purpose of trade and navigation.

Differences of opinion between the two Governments as to the execution of their respective obligations, incurred in accordance with the provisions of the preceding paragraph, shall be referred to the arbitration of two experts, one of whom shall be chosen on behalf of each Power. These experts shall select an Umpire, whose decision, in case of difference between the Arbitrators, shall be final. If the two experts cannot agree upon the choice of an Umpire, this Umpire shall be selected by a neutral Power to be named by the two Governments.

All materials for the construction of roads, railways, bridges, and telegraph lines shall be admitted free of charge.

XII. The navigation of the Zambezi and Shiré, without excepting any of their branches and outlets, shall be entirely free for the ships of all nations.

dos entre o territorio Portuguez e as margens do Lago Nyasa. Qualquer caminho de ferro construido por uma Potencia no territorio da outra ficará sujeito ás leis e regulamentos locais estabelecidos por accordo entre os dois Governos, e, no caso de divergencia de opinião, submettidos á arbitragem, conforme fica abaixo indicado.

Facilitar-se-ha igualmente, entre os dois limites acima mencionados, a construcção sobre os rios de caes e desembarcadouros com destino no commercio ou navegacção.

As divergencias de parecer entre os dois Governos sobre a execução das suas obrigações respectivas, provenientes das disposições do paragrapho antecedente, serão submettidas á arbitragem de dois peritos escolhidos respectivamente por cada uma das Potencias, que nomearão um Arbitro de desempate, cuja decisão, no caso de divergencia dos dois Arbitros, será sem appellação. Se os dois peritos não concordarem sobre a escolha do Arbitro de desempate, será este nomeado por uma Potencia neutra, e designada pelos dois Governos.

Todos os materiaes para a construcção de estradas, vias ferreas, pontes, e linhas telegraphicas terão entrada livre de direitos.

XII. A navegacção do Zambeze e do Chire, incluindo todas as suas ramificações e embocaduras, será completamente livre para navios de todas as nacionalidades.

The Portuguese Government engages to permit and to facilitate transit for all persons and goods of every description over the waterways of the Zambezi, the Shiré, the Pungwe, the Busi, the Limpopo, the Sabi, and their tributaries, and also over the landways which supply means of communication where these rivers are not navigable.

XIII. Merchant-ships of the two Powers shall in the Zambezi, its branches and outlets, have equal freedom of navigation, whether with cargo or ballast, for the transportation of goods and passengers. In the exercise of this navigation the subjects and flags of both Powers shall be treated, in all circumstances, on a footing of perfect equality, not only for the direct navigation from the open sea to the inland ports of the Zambezi, and *vice versa*, but for the great and small coasting trade, and for boat trade on the course of the river. Consequently, on all the course and mouths of the Zambezi there will be no differential treatment of the subjects of the two Powers; and no exclusive privilege of navigation will be conceded by either to Companies, Corporations, or private persons.

The navigation of the Zambezi shall not be subject to any restriction or obligation based merely on the fact of navigation. It shall not be exposed to any obligation in regard to landing-

O Governo Portuguez concorda em permittir e facilitar transito de pessoas e de mercadorias de toda a especie, pelas vias fluviaes do Zambeze, do Shiré, do Pungwe, do Busio, do Limpopo, do Save, e dos tributarios d'estes, bem como pelos caminhos terrestres que sirvam de meios de communicação onde os rios não forem navegaveis.

XIII. Os navios mercantes das duas Potencias terão na Zambeze e nas suas ramificações e embocaduras, quer em carga, quer em lastro, igual liberdade de navegação para o transporte de mercadorias ou passageiros. No exercicio d'esta navegação os subditos e as bandeiras de uma e outra Potencia gozarão em todas as occasiões de uma completa igualdade, não só no que disser respeito á navegação directa do mar alto para os portos interiores do Zambeze, e *vice versa*, como á navegação de grande e pequena cabotagem, e ao commercio effectuado em botes em todo o curso do rio. Não haverá por consequencia em todo o curso do Zambeze ou nas suas embocaduras direitos differencias para os subditos de uma ou outra Potencia; e nenhum privilegio exclusivo de navegação será por uma ou outra concedido a quaesquer companhias, corporações, ou particulares.

A navegação do Zambeze não será sujeita a restricção ou obrigação fundada exclusivamente no facto da navegação. Não lhe será imposta obrigação alguma em quanto a logares de desem-

station or depôt, or for breaking bulk, or for compulsory entry into port. In all the extent of the Zambezi the ships and goods in process of transit on the river shall be submitted to no transit dues, whatever their starting-place or destination. No maritime or river toll shall be levied based on the sole fact of navigation, nor any tax on goods on board of ships. There shall only be collected taxes or duties which shall be an equivalent for services rendered to navigation itself. The Tariff of these taxes or duties shall not warrant any differential treatment.

The affluents of the Zambezi shall be in all respects subject to the same rules as the river of which they are tributaries.

The roads, paths, railways, or lateral canals which may be constructed with the special object of correcting the imperfections of the river route on certain sections of the course of the Zambezi, its affluents, branches, and outlets, shall be considered, in their quality of means of communication, as dependencies of this river, and as equally open to the traffic of both Powers. And, as on the river itself, so there shall be collected on these roads, railways, and canals only tolls calculated on the cost of construction, maintenance, and management, and on the profits due to the promoters. As regards the tariff of these tolls,

barque, ou a deposito de mercadorias, nem por descarga parcial ou arribada forçada em qualquer porto. Em toda a extensão do Zambeze os navios e mercadorias em transito no rio serão isentos de quaesquer direitos de transito, qualquer que seja a sua proveniencia ou destino. Não será lançado imposto algum marítimo ou fluvial baseado no facto unico da navegação, nem serão collectadas as mercadorias a bordo dos navios. Serão unicamente percebidos os impostos ou direitos que signifiquem uma retribuição por serviços prestados á propria navegação. A Tarifa d'estes impostos ou direitos não estabelecerá tratamento algum differencial.

Os affluentes do Zambeze ficam a todos os respeitois sujeitos ás disposições que regem o rio de que são tributarios.

As estradas, os caminhos, as vias ferreas, e os cauaes lateraes construidos com o fim especial de corrigir as imperfeições da via fluvial em certas secções do curso do Zambeze, seus affluentes, ramificações, e embocaduras, serão, na sua qualidade de meios de comunicação, considerados dependencias do rio, e como taes igualmente abertos ao commercio das duas Potencias. E, conforme succede para com o rio, serão percebidas n'estas estradas, vias ferreas e cauaes apenas as taxas correspondentes ao custo da construção, custeio e exploração, e proventos devidos aos iniciadores. Relativamente ás tarifas d'estas taxas, tanto os

strangers and the natives of the respective territories shall be treated on a footing of perfect equality.

Portugal undertakes to apply the principles of freedom of navigation enunciated in this Article on so much of the waters of the Zambezi, its affluents, branches, and outlets, as are or may be under her sovereignty, protection, or influence. The rules which she may establish for the safety and control of navigation shall be drawn up in a way to facilitate, as far as possible, the circulation of merchant-ships.

Great Britain accepts, under the same reservations, and in identical terms, the obligations undertaken in the preceding Articles in respect of so much of the waters of the Zambezi, its affluents, branches, and outlets, as are or may be under her sovereignty, protection, or influence.

Any questions arising out of the provisions of this Article shall be referred to a Joint Commission, and in case of disagreement, to arbitration.

Another system for the administration and control of the Zambezi may be substituted for the above arrangements by common consent of the Riverain Powers.

XIV. In the interest of both Powers, Portugal agrees to grant absolute freedom of passage between the British sphere of influence and Pungwe Bay for all merchandize of every descrip-

estrangeiros como os indigenas dos territorios respectivos serão tratados com completa igualdade.

Portugal obriga-se a estender os principios de livre navegação enunciados n'este Artigo a todas as aguas do Zambeze e de seus affluentes, ramificações, e embocaduras, que estar ou vierem a estar sob a sua soberania, protecção ou influencia. Os regulamentos que Portugal estabelecer para a segurança e fiscalisação da navegação serão elaborados de modo a facilitar, quanto possivel, a circulação de navios mercantes.

A Gran Bretanha acceita, sob as mesmas reservas e em termos identicos, as obrigações impostas nos Artigos antecedentes e extensivas a todas as suas do Zambeze, e de seus affluentes, ramificações, e embocaduras, que estão ou vierem a estar sob a sua soberania, protecção, ou influencia.

Todas as questões a que derem motivo as disposições d'este Artigo serão sujeitas a uma Commissão Mixta, e em caso de desacordo, á arbitragem.

Qualquer outro systema de administração e de fiscalisação do Zambeze poderá por consenso commun das Potencias fluviaes substituir as disposições acima expostas.

XIV. No interesse de uma e outra Potencia, Portugal concorda em permittir a completa liberdade de passagem entre a esphera de influencia Britannica e a Bahia de Pungue, para

tion, and to give the necessary facilities for the improvement of the means of communication.

The Portuguese Government agrees to construct a railway between Pungwe and the British sphere. The survey of this line shall be completed within six months, and the two Governments shall agree as to the time within which the railway shall be commenced and completed. If an agreement is not arrived at, the Portuguese Government will give the construction of the railway to a Company which shall be designated by a neutral Power, to be selected by the two Governments, as being in its judgment competent to undertake the work immediately. The said Company shall have all requisite facilities for the acquisition of land, cutting timber, and free importation and supply of materials and labour.

The Portuguese Government shall either itself construct or shall procure the construction of a road from the highest navigable point of the Pungwe, or other river which may be agreed upon as more suitable for traffic, to the British sphere, and shall construct or procure the construction in Pungwe Bay and on the river of the necessary landing-places.

It is understood that no dues shall be levied on goods in transit by the river, the road, or the railway exceeding the maximum of 3 per cent. under the conditions stipulated in Article XI.

mercadorias de toda a especie, e em proporcionar as indispensaveis facilidades para melhorar os meios de communicação.

O Governo Portuguez concorda em construir um caminho de ferro entre o Pungue e a esphera Britannica. O estudo d'esta linha estará terminado dentro de seis mezes, e os dois Governos combinarão o periodo dentro do qual o caminho de ferro será começado e concluido. Se não se chegar a accordo, os dois Governos escolherão uma Potencia neutra, que designará uma Companhia, como sendo, na sua opinião, competente para a immediata execução dos trabalhos, e com a qual o Governo Portuguez contratará a construcção do caminho de ferro. A dita Companhia terá todas as faculdades necessarias para acquisição de terreos, corte de madeiras, e livre importação e fornecimento de materiaes e de braços.

O Governo Portuguez construirá directamente ou contratará a construcção de uma estrada a partir do extremo ponto navegavel do Pungue, ou de outro rio que possa reconhecer-se como mais aproveitavel para o commercio, até a esphera Britannica, e construirá ou contratará a construcção na Bahia Pungue n'esse rio dos necessarios desembarcadouros.

Fica entendido que não serão impostos nas mercadorias em transito pelo rio, pela estrada ou pelo caminho de ferro, direitos alguns excedentes ao maximum de 3 per cento conforme as

XV. Great Britain and Portugal engage to facilitate telegraphic communication in their respective spheres.

The stipulations contained in Article XIV, as regards the construction of a railway from Pungwe Bay to the interior, shall be applicable in all respects to the construction of a telegraph-line for communication between the coast and the British sphere south of the Zambezi. Questions as to the points of departure and termination of the line, and as to other details, if not arranged by common consent, shall be submitted to the arbitration of experts under the conditions prescribed in Article XI.

Portugal engages to maintain telegraphic service between the coast and the River Ruo, which service shall be open to the use of the subjects of the two Powers without any differential treatment.

Great Britain and Portugal engage to give every facility for the connection of telegraphic lines constructed in their respective spheres.

Details in respect to such connection, and in respect to questions relating to the settlement of through-tariffs and other charges, shall, if not settled by common consent, be referred to the arbitration of experts under the conditions prescribed in Article XI.

XVI. The present Convention

condições estipuladas no Artigo XI.

XV. Portugal e a Gran Bretanha obrigam-se a facilitar as comunicações telegraphicas nas suas esferas respectivas.

As estipulações contidas no Artigo XIV relativas á construção da via ferrea da Bahia do Pungue para o interior serão em tudo applicaveis á construção de uma linha telegraphica ligando a costa e a esphera Britannica ao sul do Zambeze. As questões sobre os pontos de partida e de terminação da linha, ou sobre quaesquer outros pormenores, não sendo resolvidas por commum accordo, serão submettidas á arbitragem de peritos sob as condições prescriptas no Artigo XI.

Portugal concorda em manter o serviço telegraphico entre a costa e o Rio Ruo, e o serviço por esta linha para os subditos das duas Potencias não terá qualquer tratamento differencial.

Portugal e a Gran Bretanha accordam em proporcionar todas as facilidades para a ligação das linhas telegraphicas construidas nas suas esferas respectivas.

Os pormenores relativos a esta ligação, como tambem á fixação das tarifas combinadas e mais encargos, serão, na falta de accordo, submettidos á arbitragem de peritos sob as condições já prescriptas no Artigo XI.

XVI. A presente Convenção

shall be ratified, and the ratifications shall be exchanged at Lisbon or London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seal of their arms.

Done in duplicate at Lisbon, the 11th day of June, in the year of Our Lord 1891.

(L.S.) GEORGE G. PETRE.

(L.S.) CONDE DE VALBOM.

será ratificada, e as ratificações serão trocadas em Lisboa ou Londres no mais curto praso possível.

Em testemunho do que os respectivos Plenipotenciarios assignaram a presente Convenção, e lhe pozeram o sello das suas armas.

Feito em duplicado em Lisboa, aos 11 dias do mez de Junho, do anno de Nosso Senhor Jesus Christo de 1891.

(L.S.) GEORGE G. PETRE.

(L.S.) CONDE DE VALBOM.

*CONVENTION between Great Britain and the Netherlands, defining Boundaries in Borneo.—Signed at London, June 20, 1891.**

[Ratifications exchanged at London, May 11, 1892.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and Her Majesty the Queen-Dowager, Regent of the Netherlands, in the name of Her Majesty Wilhelmina, Queen of the Netherlands, being desirous of defining the boundaries between the Netherland possessions in the Island of Borneo and the States in that island which are under British protection, have resolved to conclude a Convention to that effect, and have appointed as their Plenipotentiaries for that purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable Robert Arthur Talbot Gascoyne Cecil, Marquess of Salisbury, Earl of Salisbury, Viscount Cranborne, Baron Cecil, Peer of the United Kingdom, Knight of the Most Noble Order of the Garter, Member of Her Majesty's Most Honourable Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs, &c. ; and

Her Majesty the Queen-Dowager, Regent of the Netherlands, Count Charles Malcolm Ernest Georges de Bylandt, Knight Grand Cross of the Order of the Netherland Lion, Her Majesty's Envoy

* Signed also in the Dutch language.

Extraordinary and Minister Plenipotentiary at the Court of St. James';

Who, having produced their full powers, found in good and due form, have agreed upon the following Articles:—

ART. I. The boundary between the Netherland possessions in Borneo and those of the British-protected States in the same island shall start from $4^{\circ} 10'$ north latitude on the east coast of Borneo.

II. The boundary-line shall be continued westward from $4^{\circ} 10'$ north latitude, and follow in a west-north-west direction, between the Rivers Simengaris and Soedang, up to the point where the meridian 117° east longitude crosses the parallel $4^{\circ} 20'$ north latitude, with the view of including the Simengaris River within Dutch territory. The boundary-line shall then follow westward the parallel $4^{\circ} 20'$ north latitude until it reaches the summit of the range of mountains which forms on that parallel the watershed between the rivers running to the north-west coast and those running to the east coast of Borneo, it being understood that, in the event of the Simengaris River or any other river flowing into the sea below $4^{\circ} 10'$, being found on survey to cross the proposed boundary-line within a radius of 5 geographical miles, the line shall be diverted so as to include such small portions or bends of rivers within Dutch territory; a similar concession being made by the Netherland Government with regard to any river debouching above $4^{\circ} 10'$ on the territory of the British North Borneo Company, but turning southwards.

III. From the summit of the range of mountains mentioned in Article II, to Tandjong-Datoo, on the west coast of Borneo, the boundary-line shall follow the watershed of the rivers running to the north-west and west coasts, north of Tandjong-Datoo, and of those running to the west coast south of Tandjong-Datoo, the south coast, and the east coast south of $4^{\circ} 10'$ north latitude.

IV. From $4^{\circ} 10'$ north latitude on the east coast the boundary-line shall be continued eastward along that parallel, across the Island of Sebittik: that portion of the island situated to the north of that parallel shall belong unreservedly to the British North Borneo Company, and the portion south of that parallel to the Netherlands.

V. The exact positions of the boundary-line, as described in the four preceding Articles, shall be determined hereafter by mutual agreement, at such times as the Netherland and the British Governments may think fit.

VI. The navigation of all rivers flowing into the sea between Batoe-Tinagat and the River Siboe-koe shall be free, except for the transport of war material; and no transport duties shall be levied on other goods passing up those rivers.

VII. The population of Boelongan shall be allowed to collect jungle produce in the territory between the Simengaris and the Tawao Rivers for fifteen years from the date of the signature of the present Convention, free from any tax or duty.

VIII. The present Convention shall be ratified, and it shall come into force three months after the exchange of the ratifications, which shall take place at London one month, or sooner if possible, after the said Convention shall have received the approval of the Netherland States-General.

In witness whereof the Undersigned have signed the present Convention, and have affixed thereto their seals.

Done at London, in duplicate, this 20th day of June, 1891.

(L.S.) SALISBURY.

(L.S.) C. DE BYLANDT.

AGREEMENT between Great Britain and France, for the Demarcation of Spheres of Influence in Africa (Niger Districts).—Signed at Paris, June 26, 1891.

LES Soussignés, Commissaires Plénipotentiaires chargés, en exécution des Déclarations échangées à Londres, le 5 Août, 1890,* entre le Gouvernement de Sa Majesté Britannique et le Gouvernement de la République Française, de procéder à l'établissement de la ligne de démarcation des zones d'influence respectives des deux pays dans la région qui s'étend à l'ouest et au sud du Moyen- et du Haut-Niger, sont convenus de ce qui suit :—

Les Commissaires Techniques qui seront désignés par les Gouvernements Anglais et Français, par application de l'Article II de l'Arrangement du 10 Août, 1889,† en vue de tracer la démarcation des zones respectives, suivront autant que possible, ainsi qu'il est indiqué au dit Arrangement, la ligne du méridien 13 ouest de Paris, à partir du 10° degré de latitude en se dirigeant vers le sud. En établissant la frontière d'après la direction générale de ce méridien, ils pourront tenir compte d'un commun accord de la configuration du terrain et des circonstances locales, et faire fléchir la ligne de démarcation soit à l'est soit à l'ouest du méridien, en prenant soin de ne pas avantager l'une des deux parties sans compensation équitable pour l'autre. Ces modifications ne seront d'ailleurs définitives qu'après ratification des deux Gouvernements.

Il est entendu que la ligne de démarcation suivra autant que

* Vol. LXXXII, page 89.

† Vol. LXXXI, page 1126.

possible la crête des hauteurs qui, d'après la Carte Monteil, avoisinent le cours du Niger sur la rive gauche entre le 10° degré et Tembé Counda.

Cependant, au cas où la ligne de partage des eaux ne serait pas telle qu'elle figure sur la Carte Monteil, les Commissaires des deux pays pourront tracer la frontière sans en tenir compte, sous la réserve expresse que les deux rives du Niger resteront dans la zone d'influence Française.

Par le terme Niger est entendu le Djalibi, ainsi que ses deux sources principales, le Fatiko et le Tembé. Dans le cas précité, la ligne-frontière à partir du 10° degré jusqu'à Tembé Counda suivra, à une distance de 10 kilom., la rive gauche du Djalibi, du Fatiko, et ensuite du Tembé jusqu'à sa source, s'il y a lieu.

Au cas où la crête des montagnes se trouverait plus rapprochée de la rive gauche du Niger la frontière suivrait la ligne de partage des eaux.

Les Commissaires Techniques qui seront nommés par les deux Gouvernements, en exécution de l'Article III de l'entente du 10 Août, 1889, recevront pour instruction de tracer la frontière d'après les indications suivantes, relevées sur la Carte Binger :—

La ligne suivrait la frontière de Nougoua sur le Tanoé, entre la Sanwi et le Broussa, l'Indenié et le Sahué, laissant le Broussa, le Aowin, et le Sahué à l'Angleterre; puis la frontière couperait la route d'Annibilekrou au Cape Coast Castle, à égale distance de Debison et d'Atiebendekrou, et longerait à une distance de 10 kilom. dans l'est la route directe d'Annibilekrou à Bondoukou, par Bodomfil et Dadiasi. Elle passerait ensuite par Bonko pour atteindre la Volta à l'endroit où cette rivière est coupée par le chemin de Bandagadi à Kirhindi, et la suivrait jusqu'au 9° degré de latitude nord.

Fait à Paris, le 26 Juin, 1891.

EDWIN HENRY EGERTON.
JOSEPH ARCHER CROWE.
GABRIEL HANOTAUX.
JACQUES HAUSSMANN.

*DECLARATION between Great Britain and France, respecting the Telephonic Service between the two Countries.—Signed at London, November 19, 1891.**

Her Britannic Majesty's Government and the Government of the French Republic, desiring to regulate the telephonic relations

* Signed also in the French language.

between the two countries, the Undersigned, duly authorized to that effect, have agreed as follows:—

The Agreement, of which a copy is attached to the present Declaration, and which was signed in Paris on the 17th May, 1891, and in London on the 16th June, 1891, between the Director-General of Posts and Telegraphs of France and the Postmaster-General for the purpose of regulating the telephonic service between France and Great Britain, is and remains approved by the two Governments, who undertake to fully execute the same.

Done in duplicate in London, the 19th November, 1891.

(L.S.) SALISBURY.

(L.S.) WADDINGTON.

ANNEX.—Agreement relating to the Telephonic Service between London and Paris.—Signed at Paris, May 17, 1891; and at London, June 16, 1891.

BETWEEN the Administration of Posts and Telegraphs of Great Britain and Ireland and the Administration of Posts and Telegraphs of the French Republic,

It has been agreed as follows:—

ART. I. A service of correspondence by telephone shall be established and maintained between London and Paris by the Administrations of Posts and Telegraphs of the two countries.

II. For this service the submarine cable laid at joint expense between St. Margaret's, Great Britain, and Sangatte, in France, shall be used.

This cable shall be prolonged on the territory of each of the two countries by lines of copper or bronze wire of high conductivity, erected so as to avoid as much as possible the effects of induction.

Each of the two Administrations undertakes to maintain in a perfect condition the section of line belonging to it.

III. The metallic circuit specially provided for the purpose of telephonic correspondence shall be exclusively set apart for that service.

Nevertheless, the Administrations may, after mutual agreement, utilize, if necessary, this circuit for the exchange simultaneously of telegraphic communications.

In like manner they may, after agreement with each other, appropriate the two other wires of the cable so as to form a second metallic circuit intended to serve for telephonic correspondence.

IV. In London and in Paris the circuits shall end in a central office of the State.

Silence boxes shall be established, to which the public shall be admitted for the purpose of corresponding.

The two Administrations shall, moreover, as far as possible, make the necessary arrangements so that private establishments, and especially the offices of subscribers to the systems of the State in London and in Paris, shall be able to correspond between themselves through the intermediary of the central office by means of the international line.

V. The working of the telephone between London and Paris shall be undertaken by the agents of the two Administrations, each on its own territory.

VI. The unit adopted both for the collection of the charges and the duration of the communication is a conversation of three minutes.

Not more than two consecutive conversations of three minutes each can be accorded to the same correspondents, except when no other application is made either before or during such conversations.

The use of the telephone, the order in which conversations are exchanged between the two central offices of London and Paris, and the various service regulations shall be fixed by mutual agreement between the two Administrations.

VII. The charge for three minutes' conversation is fixed at 10 fr. It may be reduced after agreement between the two Administrations. The charge is paid by the person who asks for the communication.

The receipts shall be divided between Great Britain and France in the proportion fixed for the division of the telegraph charges by the Agreement in force between the two countries.

Each Administration shall collect the charges in the manner which it shall judge best.

The receipts resulting from the telephonic service shall form the subject, on the part of each Administration, of a special account independent of the account of the telegraph receipts.

The two Administrations may collect a special charge for the wires connecting the central offices with the offices of the subscribers.

This charge will be retained in each country by the Administration of the country.

VIII. The telephonic service between the central offices in London and Paris shall be open to the public permanently day and night.

IX. The communications of the State will enjoy the priority accorded to State telegrams by the International Convention of St. Petersburg of the 10th July, 1875.*

The length of State communications is not limited.

X. There shall not be granted, either in the way of subscription or privileges of any kind, any favour in respect of private communications of any description whatever.

XI. Each of the two Contracting Parties reserves to itself the right to suspend, totally or partially, the telephonic service in the interests of public order without being held liable to any indemnity.

XII. The two Administrations shall not be subject to any responsibility on account of the service of private correspondence by telephone.

XIII. The present Agreement shall take effect on the date fixed by mutual consent between the Administrations of the two countries; it will remain in force for three months after its denunciation, which may always be effected by one or the other of the Contracting Parties.

In witness whereof the Undersigned have signed the present Agreement.
Paris, May 17, 1891.

For the Administration of Posts and Telegraphs of France:

J. DE SELVES, *Director-General of Posts and Telegraphs.*

London, June 16, 1891.

HENRY CECIL RAIKES, *Postmaster-General.*

* Vol. LXVI, page 19.

TRAITÉ de Commerce et de Douane, entre l'Allemagne et la Belgique.—Signé à Berlin, le 6 Décembre, 1891.

[Ratifications échangées à Berlin, le 30 Janvier, 1892.]

SA Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand d'une part, et Sa Majesté le Roi des Belges d'autre part, désirant développer les relations commerciales entre l'Allemagne et la Belgique par la conclusion d'un nouveau Traité de Commerce et de Douane, sont entrés en négociations à cet effet et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, M. Adolphe Baron Marschall de Bieberstein, son Conseiller Intime Actuel, Secrétaire d'État du Département des Affaires Étrangères ; et

Sa Majesté le Roi des Belges, M. Jules Baron Greindl, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur d'Allemagne, Roi de Prusse ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ART. I^{er}. Les ressortissants de l'une des Parties Contractantes qui s'établissent dans le territoire de l'autre partie, ou qui y résident temporairement, y jouiront, relativement à l'exercice du commerce et des industries, des mêmes droits et n'y seront soumis à aucune imposition plus élevée ou autre que les ressortissants de la nation la plus favorisée sous ces rapports.

II. Les produits du sol et de l'industrie de la Belgique qui seront importés en Allemagne et les produits du sol et de l'industrie de l'Allemagne qui seront importés en Belgique, destinés, soit à la consommation, soit à l'entreposage, soit à la réexportation ou au transit, seront soumis au même traitement et ne seront passibles de droits ni plus élevés ni autres que les produits de la nation la plus favorisée sous ces rapports. Nommément, toute faveur, toute immunité, et toute réduction du Tarif des droits d'entrée que l'une des Parties Contractantes accordera à une tierce Puissance, sera immédiatement et sans condition étendue aux produits du sol et de l'industrie de l'autre.

III.* Les produits du sol et de l'industrie de l'Allemagne, énumérés dans le Tarif (A), joint au présent Traité, à leur importation en Belgique, et les produits du sol et de l'industrie de la Belgique, énumérés dans le Tarif (B), joint au présent Traité, à leur importation en Allemagne, ne seront assujettis à des droits d'entrée autres ni plus élevés que ceux fixés dans les dites Annexes.

* See Protocol, page 64.

Si l'une des Parties Contractantes venait à établir un nouveau droit intérieur ou un supplément de droit intérieur sur un article de production ou de fabrication nationale compris dans le Tarif (A) ou (B) annexé au présent Traité, l'article similaire pourra être grevé, à l'importation, d'un droit égal ou correspondant.

IV.* Les droits intérieurs, perçus pour le compte de l'État, de communes, ou de corporations, qui grèvent ou grèveront la production, la fabrication, ou la consommation d'un article dans le territoire d'une des Parties Contractantes, ne frapperont sous aucun prétexte les produits de l'autre partie d'une manière plus forte ou plus gênante que les produits similaires indigènes.

V. A l'exportation vers la Belgique il ne sera perçu en Allemagne, et à l'exportation vers l'Allemagne il ne sera perçu en Belgique, d'autres ni de plus hauts droits de sortie qu'à l'exportation des mêmes objets vers le pays le plus favorisé à cet égard. De même, toute autre faveur accordée par l'une des Parties Contractantes à une tierce Puissance à l'égard de l'exportation sera immédiatement et sans condition étendue à l'autre.

VI. Le transit des marchandises venant de la Belgique ou y allant sera exempt en Allemagne et le transit des marchandises venant de l'Allemagne ou y allant sera exempt en Belgique de tout droit de transit, sans préjudice du régime spécial concernant la poudre à tirer et les armes de guerre.

VII.* Aucune des Parties Contractantes ne soumettra l'autre à une prohibition d'importation, d'exportation, ou de transit qui ne soit appliquée en même temps à toutes les autres nations ou du moins à toutes celles qui se trouveraient dans les mêmes conditions. Cependant, dans des circonstances extraordinaires, l'exportation de provisions de guerre pourra être prohibée sans égard à la disposition précédente.

VIII. Les dispositions des Articles II, V, et VII ne s'appliquent pas aux faveurs accordées par l'une des Parties Contractantes à une tierce Puissance limitrophe pour faciliter le trafic-frontière.

IX. Les négociants, les fabricants, et autres industriels qui prouveront par la possession d'une carte de légitimation délivrée par les autorités de leur pays qu'ils sont autorisés à exercer une industrie dans l'État où ils ont leur domicile pourront, soit personnellement, soit par des commis voyageurs à leur service, faire des achats, et, même en portant des échantillons avec eux, rechercher des commandes dans le territoire de l'autre Partie Contractante. Aussi longtemps que les dits négociants, fabricants, et autres industriels ou commis voyageurs établis en Belgique, voyageant en Allemagne pour le compte d'une maison Belge, seront exempts du

* See Protocol, page 64.

paiement d'un droit de patente ou de l'impôt sur le revenu, par réciprocité il en sera de même pour les négociants, fabricants, et autres industriels ou commis voyageurs établis en Allemagne, voyageant en Belgique pour le compte d'une maison Allemande, le droit de la nation la plus favorisée restant d'ailleurs réciproquement sauvegardé.

Les industriels (commis voyageurs) qui seront munis d'une carte de légitimation pourront avoir avec eux des échantillons, mais point de marchandises.

Les cartes de légitimation seront délivrées conformément au modèle de l'Annexe (C).

Les Parties Contractantes se donneront réciproquement connaissance des autorités chargées de délivrer les cartes de légitimation, ainsi que des dispositions auxquelles les voyageurs doivent se conformer dans l'exercice de leur commerce.

Les objets passibles d'un droit de douane qui seront importés comme échantillons par les dits voyageurs seront de part et d'autre admis en franchise de droit d'entrée et de sortie, à la condition que ces objets, sans avoir été vendus, soient réexportés dans un délai fixé à l'avance, et que l'identité des objets importés et réexportés ne soit pas douteuse.

La réexportation des échantillons devra être garantie dans les deux pays à l'entrée, soit par le dépôt du montant des droits de douane respectifs, soit par cautionnement.

X.* Sur les chemins de fer il ne sera fait de différence entre les habitants des territoires des Parties Contractantes ni quant aux prix de transport, ni quant au temps et au mode de l'expédition. Notamment, les envois passant du territoire de l'une des Parties Contractantes dans le territoire de l'autre partie, ou qui y transitent, ne seront pas traités, sous le rapport de l'expédition ou des prix de transport, moins favorablement que ceux qui sortent du territoire respectif ou qui y circulent à l'intérieur.

XI. Dans ses rapports avec la Douane, le service international des chemins de fer reliant entre eux les territoires des Parties Contractantes sera régi par les dispositions de l'Annexe (D).

XII. Le présent Traité s'étend aussi aux pays ou territoires unis, actuellement ou à l'avenir, par une Union Douanière à l'une des Parties Contractantes.

XIII. Le présent Traité de Commerce et de Douane entrera en vigueur le 1^{er} Février, 1892, et restera exécutoire jusqu'au 31 Décembre, 1903.

Dans le cas où aucune des Parties Contractantes n'aurait notifié, 12 mois avant l'échéance de ce terme, son intention de faire cesser

* See Protocol, page 64.

les effets du Traité, celui-ci continuera à être obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Parties Contractantes l'aura dénoncé.

A partir de l'entrée en vigueur du présent Traité, le Traité de Commerce entre le Zollverein Allemand et la Belgique du 22 Mai, 1865,* prolongé en dernier lieu par la Convention du 30 Mai, 1881, cessera ses effets. En même temps cesseront d'être valables les Arrangements du 2 Janvier, 1855, au sujet des droits à payer par les voyageurs de commerce, et du 10 Septembre, 1868,† concernant le traitement des échantillons importés par des voyageurs de commerce, ainsi que toutes les dispositions des Traités ou Arrangements existants entre des États particuliers de l'Allemagne et la Belgique qui se rapportent à des matières réglées par le présent Traité.

Le présent Traité sera ratifié, et les ratifications en seront échangées à Berlin le plus tôt possible.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait à Berlin, le 6 Décembre, 1891.

(L.S.) FREIHERR VON MARSCHALL.

(L.S.) GREINDL.

TARIF (A).—Droits à l'Entrée en Belgique.

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quantité.
<i>ex 1</i>	Amidon	Libre.	Fr. c.
<i>ex 2</i>	Animaux vivants—		
	Espèce bovine—		
	Taureaux et taurillons	Kilog. ..	0 04
		(poids viv.)	
	Boeufs et bouvillons; veaux et		
	vêles n'ayant pas de dents de		
	lait rasées .. ..	.. ..	0 05
	Vaches et génisses .. ..	.. ..	0 03
	Espèce ovine—		
	Béliers, brebis, et moutons ..	Tête ..	2 00
	Agneaux .. ..	.. ..	1 00
	Espèce porcine	Libre.	

* Vol. LVII, page 499.

† Vol. LXII, page 618.

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quotité.
ex 4	Bière, en cercles	Hectol. ..	Fr. c. 5 00
ex 5	Bois de chêne et de noyer	Mètre cube .	1 00
	Baguettes de bois dorées, argentées, ou bronzées	Valeur ..	5 pour cent.
	Ouvrages en bois, autres, exceptés les balais communs et les futailles ..	„ ..	10 pour cent.
ex 9	Caoutchouc filé et en feuilles non découpées, non combiné avec d'autres matières	Libre.	
ex 14	Ficelles ayant de 2 à 8 millim. de diamètre	Libres.	
ex 15	Viandes fraîches— Bêtes entières et demi-bêtes	Kilog. ..	9 15
	Gibiers	„ ..	0 15
	Viandes autres	„ ..	0 30
	Riz pelé	Libre.	
ex 17	Colle forte; eaux minérales de toute sorte; quinquina et extraits de quin- quina	„	
19	Engrais	Libres.	
ex 22	Fils de soie	„	
ex 23	Pruneaux importés en tonneaux de 180 kilog. au moins, ou en sacs de 80 kilog. au moins, poids brut, sans emballage intérieur	100 kilog. ..	15 00
ex 24	Vêtements confectionnés pour hommes, en tissu de laine pure ou mélangée d'autres matières textiles, la laine dominant en poids; cols et man- chettes en tissu de lin; chapeaux de toute espèce pour hommes ..	Valeur ..	10 pour cent.
ex 25	Huiles de colza, de navette, et de palme (coprah)	Libres.	
26	Instruments et appareils scientifiques ..	„	
ex 27	Outils— En fonte	100 kilog. ..	2 00
	En fer ou en acier	„ ..	4 00 ;
	Machines et mécaniques désignées ci- après— Machines pour apprêter, blanchir, teindre, et imprimer; machines pour le tissage de la laine; machines pour la fabrication du chocolat et des sucreries; ma- chines pour la fabrication de la chicorée; moteurs à gaz; tachéomètres; machines centri- fuges, et presses à filtrer, pour fabriques de produits chimiques;		

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quotité.
ex 33 (suite)	pour jeu d'enfants; chausse-pieds; chevilles en bois pour cordonniers; pierres à feu; ciseaux à double branche, autres que ceux servant à l'exercice d'une profession; cordons et cordonnets de montre, autres qu'en or ou en argent; coulants de bourses, de serviettes, &c., autres qu'en or ou en argent; couleurs communes en tablettes ou en boîtes; couteaux de cuisine, de poche, et de table, en fer ou en acier; craie à dessiner; cuillers, autres qu'en or ou en argent; dés à coudre, autres qu'en or ou en argent; étuis à aiguilles, autres qu'en or ou en argent; épingles, autres qu'en or ou en argent; fourchettes, autres qu'en or ou en argent; garde-vue en papier; jeux de domino, d'échecs, de loto, d'oie et autres semblables; kaléidoscopes; lames de couteau de toute espèce; lanternes magiques; masques; moulures en carton-pierre; ornements en carton-pierre et ornements en papier gaufré, doré, &c., pour cartonnage; patins; pierres, ardoises polies, à écrire; portefeuilles de poche et de bureau, autres qu'en cuir; raquettes et filets à balles, russades (voir vitrifications); semelles, autres qu'en bois, en caoutchouc, et en cuir; stuc ouvré, chiques; tabatières, autres qu'en or, argent, platine, ou vermeil; tableaux peints sur verre, dits de Nuremberg; taille-crayons et taille-plumes; tambours et tambourins pour enfants; tire-bouchons; touches d'ardoise; tubes en bois pour tuyaux de pipes; tuyaux de pipes, autre qu'en caoutchouc; veilleuses, autres que celles dites Anglaises (bougies), verre filé, yeux en verre émaillé, jouets d'enfant et boutons en verre;		Fr. c.

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quotité.
<i>ex 33</i> (<i>suite</i>)	viroles; volants (jouet d'enfant); vitrifications en grains percés pour chapelets ou colliers	Valeur ..	Fr. c. 10 pour cent.
<i>ex 34</i>	Cuivre et nikel ouvrés, excepté les bronzes d'art	" ..	10 pour cent.
	Fer battu, étiré ou laminé, excepté les rails	100 kilog. ..	1 00
	Fer ouvré, excepté les clous	" ..	4 00
	Acier en barres, feuilles ou fils, excepté les rails	" ..	1 00
	Acier ouvré, excepté les clous	" ..	4 00
	Étain, plomb, et zinc non ouvrés ..	Libres.	
	Or, argent, et platine— Bijouterie, y compris les chaînettes de toute longueur servant à la fabrication de la bijouterie et de l'orfèvrerie	Libre.	
	Orfèvrerie	Valeur ..	5 pour cent.
<i>ex 35</i>	Meubles massifs en chêne, hêtre et noyer, et tous meubles en bois tendre sans addition de bois exotique ..	" ..	10 pour cent.
<i>ex 38</i>	Tableaux peints à la main, non en- cadrés, et photographies non en- cadrées	Libres.	
<i>ex 39</i>	Papier à meubler, excepté les papiers dorés, argentés, bronzés, gaufrés, ou veloutés.. .. .	100 kilog. ..	8 00
	Papier autre, excepté le carton	" ..	4 00
<i>ex 40</i>	Pelleteries apprêtées	" ..	30 00
	Gants	Valeur ..	10 pour cent.
	Ouvrages de cordonnerie	" ..	10 pour cent.
<i>ex 42</i>	Cornues à gaz, et creusets de toute sorte	Libres.	
	Poteries communes, non dénommées ..	100 kilog. ..	1 25
		(ou au choix de l'importateur),	
		Valeur ..	10 pour cent.
	Faïences et porcelaines	" ..	10 pour cent.
<i>ex 44</i>	Produits chimiques désignés ci-après — Sulfates et sulfites de soude; soude calcinée; potasse de toute espèce; soude brute, même cristallisée; verre soluble; alizarine; huile et		

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quotité.
<i>ex 44</i> (suite)	sel d'aniline; sucre et vinaigre de plomb; chlorure de potassium; chlorure de magnésium (sel de magnésie); minium (oxyde de plomb rouge); sel de natron (sel de glauber) cristallisé et calciné, même combiné avec de l'acide sulfurique ou d'autres acides; acide sulfurique; sulfite de zinc (lithogène); alun; acide oxalique ..		Fr. c.
<i>ex 45</i>	Cartons bitumineux pour toitures et feutre imprégné d'asphalte; cordes de boyaux pour instruments de musique; drap - cylindre feutré pour l'impression; fournitures pour horloges et pendules; fournitures pour parapluies et parasols; poils feutrés destinés aux usages industriels ..	Libres. Valeur ..	 5 pour cent.
<i>ex 46</i>	Tresses, autres que de paille, et fournitures de toute espèce en jonc, en paille, en sparte, en écorce, en fibre de palmier ou en crin, pour la fabrication des chapeaux	Libres.	
<i>ex 48</i>	Tableaux imprimés à l'huile	"	
<i>ex 50</i>	Céréline	Libre.	
<i>53</i>	Savons durs, excepté les savons blancs, les savons parfumés, et les savons à l'alcool	100 kilog. ..	6 00
<i>ex 56</i>	Teintures et coulores	Libres.	
<i>ex 57</i>	Graines oléagineuses et autres graines; houblon; pâte de bois; tourteaux ..	100 kilog. .. (ou au choix de l'importateur).	1 00
	Verreries communes	Valeur ..	10 pour cent.
	Verrerie autre, excepté les glaces, les verres de vitrage, les dalles, les pavés, et les tuiles	" ..	10 pour cent.
<i>ex 58</i>	Vinaigres et acides acétiques liquides contenant en acide acétique pur 8 pour cent ou moins	Hectol. ..	15 00
	Observation. — Les importateurs de vinaigres et acides acétiques liquides, contenant en acide acétique pur, plus de 8 pour cent, seront admis à y ajouter de l'eau en entrepôt public de		

Numéro du Tarif des Douanes Belges en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Droits d'Entrée.	
		Base.	Quotité.
<i>ex 58</i> (<i>suite</i>)	manière à ramener la force acétique à 8 pour cent, ou moins, et à ne payer sur le volume du mélange, ainsi obtenu, que le droit afférent à ce minimum.		Fr. c.

TARIF (B).—*Droits à l'Entrée du Territoire douanier Allemand.*

Numéro du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Par 100 kilog.
<i>ex 1 (b)</i>	Sons, germes de malt et déchets de riz (déchets provenant du pelage et du glaçage du riz)	M. pf.
<i>ex 2 (c), 5</i>	Fil à coudre, retors, de coton	Libres.
<i>ex 2 (d), 1</i>	Couverture de lit en coton, écrues, serrées, lainées, découpées et ourlées, ou tissées à franges	70 00
2	Les mêmes blanchies	60 00
3	Les mêmes teintées	80 00
Observation 2 relative à 2 (d)	Tissus tout à fait grossiers de déchets de coton, en pièces ne dépassant pas 60 centim. de longueur et de largeur ayant l'apparence de toile d'emballage écrue et servant d'étenelles, de serpillières, &c., même combinés avec d'autres textiles, ou avec quelques fils teints	90 00
<i>ex 5 (m)</i>	Cendres d'os, et superphosphates de chaux; écrues; blanc de zinc; acide sulfurique	7 50
6 (b)	Fer malléable (fer soudé, acier soudé, fer fondu, acier fondu), en barres, y compris le fer façonné; fer pour bandages de roues; fer pour socs de charrues; fer d'angle et à T; rails; éclisses, coussinets, et traverses.	Libres.
6 (c)	Tôles et feuilles, en fer malléable—	2 50
1	Brutes	3 00
2	Polies, vernies, laquées, cuivrées, étamées (fer blanc), zinguées, ou plombées	5 00

Numéro du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Par 100 kilog.
6 (e), 1 α	Ouvrages en fonte tout à fait grossiers .. <i>Observation.</i> —Sont traités d'après la ru- brique 6 (e), 1 α, et soumis au droit de 2 m. 50 pf., les tuyaux bruts, y com- pris les pièces de jointure et les pièces façonnées, en fonte, même recouverts de goudron par peinture ou par immer- sion et simplement ébarbés sur quelques points.	M. pf. 2 50
6 (e), 1 β	Essieux, bandages, et roues de wagons de chemin de fer Ébauches de pièces de machines et de voitures en fer grossièrement forgé; ponts et parties de ponts; ancras, chaînes, et câbles, en fil de fer; tampons, canons, enclumes, étaux, cabestans, clous à crochets, marteaux de forge, ressorts de voitures, ressorts de cousins, pinces, sabots, et fers à cheval ..	2 50 3 00
ex 6 (e), 2 β	Ustensiles de cuisine et de ménage en fer émaillé	7 50
ex 6 (e), 3 γ	Armes à feu de tout genre Ressorts, chiens, canons de fer, grossiers— Non blanchis Blanchis Les mêmes fins, tels que polis, vernis, au vernis fin, &c. Batteries de fusils Chaux Graine de lin Chicorées séchées 10 (b) Gobeletterie blanche, unie, non égrisée, non adoucie, non moulée ou seulement avec bouchons, fonds et rebords dépolis ou adoucis	60 00 6 00 10 00 24 00 24 00 Libre. " 80 8 00 (brut).
10 (c)	Verre à vitre et en feuilles de couleur natu- relle (vert, blanc, ou demi-blanc), non égrisé, uni, lorsque la hauteur simple et la largeur simple atteignent ensemble— 1 Jusqu'à 120 centim. 2 De 120 à 200 centim. 3 Plus de 200 centim.	6 00 8 00 (brut). 10 00 (brut).
10 (e)	Pendant de lustres en verre, boutons, même de couleur; verre blanc massif non spé- cialement dénommé; verre moulé, égrisé, poli, adouci, taillé, corrodé, ou à dessins, en tant que non dénommé aux rubriques 10 (d) et (f).. ..	12 00
ex 12 (a)	Peaux de bœuf, vertes et salées	Libres.
13 (b)	Écorces à tan, moulues ou non	" 00
14	Houblon.. ..	(brut).

Numéro du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Par 100 kilog.
15 (b), 1 ex 15 (b), 2	Locomotives; locomobiles Machines pour la minoterie; machines élec- triques; machines à filer le coton; ma- chines pour le tissage; machines à vapeur; chaudières à vapeur; machines pour la fabrication de la pâte de bois et du papier; machines-outils; turbines; transmissions; machines servant au travail de la laine; machines d'épuisement; ventilateurs; ma- chines soufflantes; trains de laminoirs; marteaux-pilons; cisailles et perçoirs; grues; si la matière dominant en poids est composée—	M. pf. 8 00
β	De fonte	3 00
γ	De fer malléable	5 00
	<i>Observation.</i> —Lorsque l'une ou l'autre des machines désignées ci-dessus est importée démontée et que les di- verses parties détachées sont pré- sentées en une seule fois à la douane, elles sont imposées d'après la matière dominant en poids dans la machine montée.	
Observation relative à		
15 (b), 1 et 2	Les machines à vapeur et chaudières em- ployées à la construction des navires ..	Libres.
ex 15 (b), 3	Cartes garnies du poids minimum de 200 kilog. net	18 00
ex 21 (b)	Cuir à semelle; peaux de Bruxelles et de Danemark pour la ganterie	30 00
ex 22 (a)	Fil de jute, simple et retors, nou teint, non imprimé, non blanchi—	
1	Jusqu'au No. 8 Anglais	4 00
2	Au-dessus du No. 8 jusqu'au No. 20 Anglais	5 00
ex 22 (a)	Fil de lin, non teint, non imprimé, non blanchi—	
2	Au-dessus du No. 8 jusqu'au No. 20 Anglais	6 00
3	Au-dessus du No. 20 jusqu'au No. 35 Anglais	9 00
4	Au-dessus du No. 35 Anglais	12 00
ex 22 (b)	Fil de lin, blanchi—	
1	Jusqu'au No. 20 Anglais	12 00
2	Au-dessus du No. 20 jusqu'au No. 35 Anglais	15 00
3	Au-dessus du No. 35 Anglais	20 00
22 (d)	Fil à coudre, retors, de lin ou d'autres matières végétales, à l'exception du coton, préparé pour la vente en détail	60 00
22 (e)	Cordages—	
1	Cordes et câbles, même blanchis ou gou- dronnés, ayant plus de 4 millim. de dia- mètre	10 00

Numéro du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Par 100 kilog.
		M. pf.
<i>ex 22 (f), 1</i>	Toile d'emballage de jute, de chanvre, de manille, ou d'autres matières semblables à l'exception du lin, non teint, non imprimée, non blanchie, ayant jusqu'à 40 fils en chaîne et en trame réunies par 4 centim. carrés	10 00
<i>22 (k)</i>	Dontelles en fil de lin	600 00
<i>ex 26 (b)</i>	Huile d'arachides (noix de terre), en fûts, dénaturée administrativement	6 00
<i>ex 26 (c)</i>	Acide oléique (oléine)	3 00
<i>26 (c)</i>	Huiles de palme et de coco, et autres suifs végétaux (huiles concrètes)	2 00
<i>ex 26 (f)</i>	Suif de bœuf et de mouton	2 00
<i>27 (c)</i>	Papier d'emballage, non compris dans la rubrique 27 (b), non lissé	3 00
<i>ex 27 (d)</i>	Papier d'emballage, lissé	3 00
<i>27 (c)</i>	Papier à imprimer, papier à écrire, papier buvard, papier de soie, de toute sorte, et papier pour notes, étiquettes, lettres de voiture, devises, &c.	6 00
	Papier lithographié, imprimé ou ligné; papier doré et argenté; papier à dessins d'or ou d'argent; papier découpé; de même que les bandes de ces papiers; carton à dessiner.	10 00
<i>ex 27 (f), 3</i>	Papier de tenture, non doré, non argenté, non bronzé, non gaufré, ou non velouté ..	18 00
<i>33 (a)</i>	Pierres brutes ou simplement taillées, même moulées	Libres.
	<i>Observation.</i> —Les blocs qui ne présentent pas sur plus de trois côtés des traces de sciage, rentrent dans la catégorie des pierres brutes ou simplement taillées.	
<i>33 (d)</i>	Blocs sciés; ouvrages grossiers de tailleur de pierre (par exemple, chambranles et seuils de fenêtres, plinthes), de travail uni, sans ornements, à l'exception des ouvrages grossiers en albâtre ou en marbre, auquel n'appartient pas la pierre dite granit Belge (écaussines), petit granit	1 00
<i>ex 33 (c)</i>	Ardoises pour toitures	0 50
<i>33 (f)</i>	Plaques coupées ou refendues (sciées), de pierres de toute sorte, non polies; ouvrages de tailleur de pierre, ne rentrant pas dans la catégorie 33 (d), non polis	2 50
	<i>Observation.</i> —Les plaques de plus de 16 centim. d'épaisseur doivent être considérées comme blocs.	

Numéro du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Par 100 kilo.
		M. pf.
33 (h)	Autres ouvrages de pierres, excepté les statues et les objets en pierres fines ou en lave—	
1	Non combinés avec d'autres matières, ou combinés seulement avec le bois ou le fer, mais non polis, ni vernis, au vernis fin—	
a	En albâtre, marbre, granit, syénite, porphyre, ou pierres dures sem- blables	10 00
ex 34	Charbon de terre et coke	Libres. Pièce.
ex 35 (d), 1	Chapeaux de paille, sans garniture	0 15
ex 38 (c)	Tuiles et briques, vernissées; carreaux, uni- colores, en terre cuite, non vernis	100 kilog. 0 75
ex 38 (d)	Creusets, moules, capsules, cornues, tuyaux, plaques réfractaires, excepté ceux en gra- phite	1 50
ex 38 (e), 2	Carreaux mosaïques comprimés, pour pave- ment et revêtement de murs, non glacés ..	3 00
ex 38 (f), 1	Objets de porcelaine blanche, servant à la télégraphie et à l'électricité (isolateurs, &c.).	10 00 Tête.
39 (a), 1	Chevaux	20 00
	Observation.—Chevaux jusqu'à 2 ans ..	10 00
39 (f)	Porcs	5 00
40 (a)	Toile cirée grossière, non imprimée (toile d'emballage)	100 kilog. 10 00
ex 41 (a)	Laine artificielle, teinte ou non, et déchets de laine	Libres.
41 (c), 3	Fils de laine, même mélangés avec d'autres matières, à l'exception du coton—	
a	Bruts, simples	8 00
β	Bruts, doubles	10 00
γ	Blanchis ou teints, simples	12 00
ex δ	Blanchis ou teints, doubles	24 00
	Observations.—1. Les fils de laine contenant jusqu'à 2 pour cent de coton sont considérés comme des fils de laine pure. 2. Les fils grisâtres (fils de laine arti- cielle) simples ne sont pas con- sidérés comme teints, mais comme bruts.	
41 (d)	Tissus de laine, même combinés avec du coton, du lin, ou des fils métalliques—	
5	Draps et étoffes, non imprimées, en tant qu'ils n'appartiennent pas à la ru- brique 41 (d), 7 ou 8—	
a	Pesant plus de 200 grammes par mètre carré	135 00
β	Pesant 200 grammes ou moins par mètre carré	220 00

ANNEXE (C).

(Modèle.)

CARTE DE LÉGITIMATION
pour
VOYAGEURS DE COMMERCE.

Pour l'année 18 .

(Armoiries.)

No. de la carte .

Valable pour l'Empire Allemand, le Luxembourg, et la Belgique.

PORTEUR.

[Prénom et nom de famille.]

Fait à

, le

, 18 .

(Sceau.)

(Autorité compétente.)

Signature.

Il est certifié que le porteur de la présente carte [possède un (*désignation de la fabrique ou du commerce*) à sous la raison]
[est employé, comme voyageur de commerce, dans la maison ,
à , qui y possède un (*désignation de la fabrique ou du commerce*)].

Le porteur de la présente carte désirant rechercher des commandes et faire des achats pour le compte de sa maison, ainsi que de la maison suivante des maisons suivantes
[*désignation de la fabrique ou du commerce*] à , il est certifié,
en outre, que la dite maison est tenue d'acquitter dans ce pays-ci les impôts
les dites maisons sont tenues
légaux pour l'exercice de ^{son} leur commerce [industrie].

Signalement du Porteur.

Age : _____

Taille : _____

Cheveux : _____

Marques particulières : _____

Signature.

Avis.

Le porteur de la présente carte ne pourra rechercher des commandes ou faire des achats autrement qu'en voyageant et pour le compte de la maison susmentionnée. Il pourra avoir avec lui des échantillons, mais point de marchandises. Il se conformera, d'ailleurs, aux dispositions en vigueur dans chaque État.

Nota.—Là où le modèle ci-dessus contient un double texte, le formulaire à employer pour l'expédition des cartes présentera l'espace nécessaire pour y insérer l'un ou l'autre des textes, suivant les circonstances du cas particulier.

ANNEXE (D).

*Dispositions relatives au Service International des Chemins de Fer dans ses rapports avec la Douane.*I.—*Convois de Marchandises.*

ART. 1. Toutes marchandises placées dans des wagons donnant les sûretés voulues au point de vue de la fermeture et scellés à l'aide de plombs ou de cadenas seront dispensées de la visite par la douane aux bureaux-frontières respectifs, soit à l'entrée, soit à la sortie, tant de nuit que de jour, les Dimanches et jours fériés comme tout autre jour.

Le conditionnement des wagons devra être conforme aux règles arrêtées par la Conférence de Berne du 15 Mai, 1886, pour garantir, au point de vue de la douane, la sûreté de la fermeture des wagons utilisés dans la service international des chemins de fer, ainsi qu'aux modifications et dispositions complémentaires qui seraient apportées aux dites règles.

Les colis qui, après le chargement des wagons ci-dessus désignés, formeront excédent de charge ou qui ne seront pas en assez grand nombre pour remplir un de ces wagons, pourront, sans perdre le bénéfice de la dispense de visite, être placés, soit dans un compartiment de wagon, soit dans des caisses ou paniers d'une contenance d'au moins 0.300 mètres cubes, agréés préalablement par la douane et mis sous plombs ou cadenas.

Aucune limite, quant à la dimension, n'est exigée pour les caisses, paniers, ou sacs employés par l'Administration des Postes respectives.

2. Les localités sur lesquelles les convois de marchandises qui franchissent les frontières respectives du territoire douanier Allemand et de la Belgique pourront être dirigés sous le bénéfice de la dispense de visite stipulée par l'Article 1^{er}, seront réciproquement désignées en temps opportun.

Chacune des Parties Contractantes se réserve de modifier la liste de ces localités et d'en donner connaissance à l'autre.

3. Les employés d'escorte qui, à la sortie de l'un des États, seraient chargés de la surveillance du convoi, devront accompagner le train sur le territoire du pays voisin jusqu'à la première station où il y aura un bureau de douane. Ils ne pourront abandonner les convois qu'après avoir rempli les formalités prescrites dans chacun des États Contractants.

4. Chaque convoi sera accompagné de feuille de route distinctes par lieux de destination. Ces feuilles, auxquelles devront être joints tous les documents et papiers nécessaires, seront préparées par les soins des Administrations des Chemins de Fer respectifs d'après la forme prescrite dans chacun des États Contractants.

5. L'Administration des Douanes de chacun des États Contractants respectera les fermetures de l'autre lorsqu'elle se sera assurée que les conditions exigées par ses propres règlements ont été remplies. Elle aura d'ailleurs, en tant qu'elle le jugera nécessaire, la faculté de compléter la fermeture.

6. Les wagons mentionnés dans l'Article 1^{er} devront être construits de façon qu'au passage d'un territoire sur l'autre la douane, pour les fermer, n'ait plus qu'à y apposer les plombs ou cadenas, après s'être assurée du bon conditionnement.

Les plombs présenteront l'indication des bureaux où ils ont été apposés.

7. L'Administration des Douanes de chacun des États Contractants reste libre de faire escorter les convois par ses employés. Les Administrations de Chemins de Fer respectives seront tenues de placer les employés d'escorte, soit

à l'aller, soit au retour, et ce gratuitement, aussi près que possible des wagons de marchandises.

II.—*Convois de Voyageurs.*

8. La faculté accordée par l'Article 1^{er} aux convois de marchandises de franchir la frontière pendant la nuit, les Dimanches, et jours fériés, est étendue aux convois de voyageurs.

9. Pour le passage à la frontière tous objets passibles de droits ou dont l'importation est prohibée devront être placés dans des wagons à marchandises à l'exclusion des wagons à voyageurs. Il n'est fait d'exception à cette règle que pour les menus objets passibles de droits qui se trouvent soit parmi les bagages à la main des voyageurs, soit parmi les bagages placés sur des voitures appartenant à des voyageurs et qui sont transportées par le chemin de fer.

10. En principe les bagages des voyageurs seront visités au bureau-frontière. Toutefois des exceptions pourront être admises dans l'intérêt des voyageurs. Celui des États Contractants qui aura établi des exceptions de ce genre en donnera immédiatement connaissance à l'autre.

Pour autant que l'intérêt du service de la douane n'y mette pas obstacle la visite des bagages à la main pourra être effectuée dans les wagons sans en faire descendre les voyageurs.

11. Les bagages des voyageurs non visités au bureau-frontière devront, après avoir été déclarés en douane, être accompagnés d'une feuille de route de douane, distincte par destination et indiquant le nombre des colis.

12. Tous objets passibles de droits, transportés par les convois de voyageurs, restent soumis aux conditions et formalités établies pour ceux dont le transport s'effectue par les convois de marchandises. Cette disposition ne s'applique point aux bagages des voyageurs.

III.—*Dispositions Générales.*

13. A l'arrivée des marchandises au lieu de destination elles seront déposées dans des bâtiments agréés par la douane et susceptible d'être fermés. Les marchandises y resteront sous la surveillance non interrompue des employés de douane et en seront enlevées soit pour la consommation, soit pour l'entrepôt, soit pour le transit, sur une déclaration en détail à faire dans le délai voulu et après l'accomplissement des formalités prescrites. Le déchargement des wagons s'effectuera, autant que possible, immédiatement après l'arrivée des convois.

14. Dans les stations où il n'y a pas encore de bâtiments se trouvant dans les conditions indiquées à l'Article précédent, le déchargement devra, autant que possible, se faire au plus tard dans le délai de 36 heures après l'arrivée du convoi.

15. Les Administrations des Chemins de Fer devront informer, le plus tôt possible et au moins huit jours à l'avance, les Administrations des Douanes des changements qu'elles voudront apporter aux heures de départ, de passage à la frontière, et d'arrivée des trains de jour et de nuit, sous peine d'être tenues de remplir à la frontière toutes les formalités ordinaires de douane.

Le préavis de huit jours ne sera pas exigé en ce qui concerne les trains de marchandises extraordinaires que les Administrations de Chemin de Fer pourraient mettre en marche en cas de force majeure ou dans des circonstances exceptionnelles.

Les facilités accordées par les présentes dispositions seront appliquées à ces trains spéciaux, pour autant que leur passage à la frontière ait été annoncé, au moins 12 heures à l'avance, au bureau-frontière intéressé.

16. En principe la division des convois allant dans la même direction pourra, lorsqu'elle sera demandée, être accordée par les bureaux-frontières respectifs jusqu'à concurrence de 10 wagons. Cependant, en cas de nécessité reconnue, de concert entre le chef de station et l'agent supérieur de la douane locale, celui-ci est autorisé à permettre une plus grande subdivision.

17. Les facilités consacrées par l'Article 1^{er} ne s'appliqueront en général qu'aux marchandises transportées de la frontière jusqu'au lieu de leur destination, sans changement de wagons, et sans enlèvement des plombs ou cadenas.

Exceptionnellement il sera toutefois permis, dans les lieux ou dans les cas ci-après spécifiés, de transborder les marchandises sans remplir l'ensemble des formalités ordinaires de douane, savoir :—

1. Au point de jonction de deux lignes de chemin de fer, lorsque la construction de ces lignes ne permet pas de faire passer les wagons de l'une sur l'autre ;

2. Lorsqu'on jugerait impossible de faire arriver les wagons qui ont franchi la frontière jusqu'au lieu de destination de leur chargement.

Quant aux localités où d'après le No. 1 de l'alinéa 2 ces transbordements exceptionnels seront autorisés, elles seront désignées de part et d'autre en temps opportun, chacune des Parties Contractantes se réservant d'étendre le même bénéfice à d'autres localités selon les besoins sagement appréciés du service des transports internationaux.

18. Pour autant que des obstacles matériels ou les lois du pays ne s'y opposent pas, les douaniers convoyeurs seront autorisés à se placer gratuitement sur le siège extérieur des wagons. Ces agents seront dans tous les cas, à l'aller comme au retour, admis gratuitement dans les voitures de 2^e classe des convois de voyageurs et dans les compartiments des gardes des convois de marchandises.

19. Il est bien entendu que par les présentes dispositions il n'est dérogé en rien aux lois des États Contractants en ce qui concerne les pénalités encourues en cas de fraude ou de contravention, pas plus qu'à celles qui ont prononcé des prohibitions ou des restrictions en matière d'importation, d'exportation, ou de transit, et qu'il reste libre aux Administrations des Douanes respectives, en cas de graves soupçons de fraude, de faire procéder à la vérification des marchandises et aux autres formalités au bureau-frontière, et, s'il y a lieu, à tout autre bureau.

20. Les Administrations des Douanes des États Contractants se communiqueront respectivement les instructions et circulaires adressées à leurs agents concernant l'exécution des présentes dispositions.

Elles prendront de concert les mesures nécessaires pour que les heures de travail des employés des Douanes soient mises, autant que possible, en rapport avec les besoins sagement appréciés du service des chemins de fer.

PROTOCOLE DE CLÔTURE.—Le 6 Décembre, 1891.

Au moment de procéder à la signature du Traité de Commerce et de Douane conclu ce jour à Berlin entre l'Allemagne et la Belgique, les Soussignés sont convenus de ce qui suit :—

A l'Article III.—Certaines marchandises étant actuellement soumises en Allemagne à des droits plus élevés à l'entrée par terre qu'à l'entrée par mer, il est entendu que pour aucune de ces mar-

chandises ces différences de droits ne seront aggravées et qu'aucun nouveau droit différentiel favorisant les importations par mer ne sera établi pour de nouveaux articles, sans l'assentiment de la Belgique. De son côté la Belgique, qui n'a aucun droit différentiel favorisant les importations par mer, n'en établira pas non plus à l'avenir.

Le Plénipotentiaire Belge a demandé, en outre, que l'Allemagne s'engageât, moyennant réciprocité de la part de la Belgique, à ne grever les marchandises de transit d'aucune surtaxe d'entrepôt. Bien que l'arrangement ci-dessus, concernant les droits différentiels en faveur de l'importation par mer, réponde en quelque sorte, par lui-même, à ce désir de la Belgique, l'Allemagne n'a pas d'objection à faire la déclaration expresse suivante :—

Aussi longtemps que des marchandises de provenance quelconque, importées en Belgique par voie de transit à travers l'Allemagne, ne seront soumises en Belgique à des droits ni autres ni plus élevés que si elles étaient importées directement du pays d'origine, il en sera de même, par réciprocité, pour les marchandises de provenance quelconque importées en Allemagne par voie de transit à travers la Belgique.

A l'Article IV.—Il est entendu que cet Article ne vise pas les droits d'entrée. En outre, l'Allemagne consent à ce que le dit Article ne soit pas appliqué aux droits d'accise perçus en Belgique sur les vins et les sucres bruts, pour autant que ces marchandises soient exemptes de droits d'entrée.

A l'Article VII.—Il est entendu que chacune des deux Parties Contractantes se réserve le droit de prononcer les prohibitions d'entrée, de sortie, ou de transit qu'elle jugerait nécessaires d'établir pour des motifs sanitaires, notamment pour empêcher la propagation d'épidémies et d'épizooties, ou pour protéger l'agriculture contre l'importation et la propagation d'insectes nuisibles ou bien en vue d'événements de guerre.

A l'Article X.—Les Parties Contractantes se prêteront réciproquement tout l'appui possible quant à l'établissement des prix de transport par chemin de fer, notamment en établissant des Tarifs directs.

Elles conviennent que les prix de transport ainsi que toutes les réductions de Tarif ou autres faveurs qui seraient accordées, soit par des Tarifs locaux, soit par des dispositions spéciales, soit par des Traités particuliers, aux produits de leur propre pays seront accordés dans la même étendue aux envois similaires passant du territoire de l'une des Parties Contractantes dans le territoire de l'autre ou qui y transiteront, à la condition toutefois que le transport se fasse sur la même ligne et dans la même direction.

En conséquence, les prix de transport dont, en vertu des Tarifs
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locaux ou des Tarifs des unions de chemins de fer, on pourrait profiter sur la ligne respective moyennant la réexpédition, seront insérés dans les Tarifs directs, si l'autre Partie Contractante le demande.

Il n'est fait exception aux dispositions qui précèdent que pour les envois destinés à des œuvres de charité ou d'utilité publique.

Enfin, le Gouvernement Belge s'engage à présenter aux Chambres Législatives, en même temps que le Traité de Commerce en date de ce jour, un Projet de Loi abrogeant, en ce qui concerne la viande fraîche de mouton, la disposition de la Loi du 17 Juin, 1887, en vertu de laquelle les viandes fraîches de boucherie ne peuvent être importées en Belgique qu'à l'état de bêtes entières, demi-bêtes, ou quartiers de devant et à condition que les poumons soient adhérents.

En foi de quoi les Plénipotentiaires soussignés ont dressé le présent Protocole, qui sera considéré comme approuvé et sanctionné par les Gouvernements respectifs, sans autre ratification spéciale, par le seul fait de l'échange des ratifications du Traité auquel il se rapporte, et y ont apposé leurs signatures.

Fait à Berlin, le 6 Décembre, 1891.

(L.S.) FREIHERR VON MARSCHALL.

(L.S.) GREINDL.

*TREATY between Great Britain and Monaco, for the Extradition of Criminals.—Signed at Paris, December 17, 1891.**

[Ratifications exchanged at Paris, March 17, 1892.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Serene Highness the Prince of Monaco, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; the said High Contracting Parties have named as their Plenipotentiaires to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great

* Signed also in the French language.

Britain and Ireland, Empress of India, Edwin Henry Egerton, Esq., Companion of the Most Honourable Order of the Bath, Her Majesty's Minister Plenipotentiary at Paris; and

His Serene Highness the Prince of Monaco, Louis Fernand de Bonnefoy, Baron du Charmel, Envoy Extraordinary and Minister Plenipotentiary of Monaco in France;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

ART. I. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime or offence committed in the territory of the one party, shall be found within the territory of the other party, under the circumstances and conditions stated in the present Treaty.

II. The crimes or offences for which the extradition is to be granted are the following:—

1. Murder, or attempt, or conspiracy to murder.
2. Manslaughter.
3. Assault occasioning actual bodily harm. Malicious wounding or inflicting grievous bodily harm.
4. Counterfeiting or altering money, or uttering counterfeit or altered money.
5. Knowingly making any instrument, tool, or engine adapted and intended for counterfeiting coin.
6. Forgery, counterfeiting, or altering or uttering what is forged, or counterfeited, or altered.
7. Embezzlement or larceny.
8. Malicious injury to property if the offence be indictable.
9. Obtaining money, goods, or valuable securities by false pretences.
10. Receiving money, valuable security, or other property knowing the same to have been stolen, embezzled, or unlawfully obtained.
11. Crimes against bankruptcy law.
12. Fraud by a bailee, banker, agent, factor, trustee, or Director, or member or public officer of any Company.
13. Perjury, or subornation of perjury.
14. Rape.
15. Carnal knowledge, or any attempt to have carnal knowledge, of a girl under 16 years of age, so far as such acts are punishable by the law of the State upon which the demand is made.
16. Indecent assault. Indecent assault without violence upon children of either sex under 13 years of age.
17. Administering drugs or using instruments with intent to procure the miscarriage of a woman.

18. Abduction.
19. Child stealing.
20. Abandoning children, exposing or unlawfully detaining them.
21. Kidnapping and false imprisonment.
22. Burglary or housebreaking.
23. Arson.
24. Robbery with violence.
25. Any malicious act done with intent to endanger the safety of any person in a railway train.
26. Threats by letter or otherwise, with intent to extort.
27. Piracy by law of nations.
28. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
29. Assaults on board a ship on the high seas, with intent to destroy life, or to do grievous bodily harm.
30. Revolt or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.
31. Dealing in slaves in such a manner as to constitute a criminal offence against the laws of both States.

Extradition is also to be granted for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

Extradition may also be granted, at the discretion of the State applied to, in respect of any other crime for which, according to the laws of both the Contracting Parties for the time being in force, the grant can be made.

III. Either Government may, in its absolute discretion, refuse to deliver up its own subjects to the other Government.

IV. The extradition shall not take place if the person claimed on the part of the British Government, or the person claimed on the part of the Government of Monaco, has already been tried and discharged or punished, or is still under trial, within the territories of the two High Contracting Parties respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the British Government, or if the person claimed on the part of the Government of Monaco, should be under examination, or is undergoing sentence under a conviction, for any other crime within the territories of the two High Contracting Parties respectively, his extradition shall be deferred until after he has been discharged, whether by acquittal or on expiration of his sentence, or otherwise.

V. The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punish-

ment has been acquired by lapse of time, according to the laws of the State applied to.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

VII. A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or had an opportunity of returning to the State by which he has been surrendered.

This stipulation does not apply to crimes committed after the extradition.

VIII. The requisition for extradition shall be made in the following manner:—

Applications on behalf of Her Britannic Majesty's Government for the surrender of a fugitive criminal in Monaco shall be made by Her Majesty's Consul in the Principality.

Application on behalf of the Principality of Monaco for the surrender of a fugitive criminal in the United Kingdom shall be made by the Consul-General of Monaco in London.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A sentence passed *in contumaciam* is not to be deemed a conviction, but a person so sentenced may be dealt with as an accused person.

IX. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

X. If the fugitive has been arrested in the British dominions, he shall forthwith be brought before a competent Magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the British dominions.

In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the British dominions

shall admit as valid evidence the sworn depositions or the affirmations of witnesses taken in Monaco, or copies thereof, and likewise the warrants and sentences issued therein, and certificates of, or judicial documents stating the fact of, a conviction, provided the same are authenticated as follows:—

1. A warrant must purport to be signed by a Judge, Magistrate, or officer of the Principality of Monaco.

2. Depositions or affirmations, or the copies thereof, must purport to be certified under the hand of a Judge, Magistrate, or officer of the Principality of Monaco, to be the original depositions or affirmations, or to be the true copies thereof, as the case may require.

3. A certificate of or judicial document stating the fact of a conviction must purport to be certified by a Judge, Magistrate, or officer of the Principality of Monaco.

4. In every case such warrant, deposition, affirmation, copy, certificate, or judicial document must be authenticated either by the oath of some witness, or by being sealed with the official seal and legalization of the Governor-General of the Principality of Monaco; but any other mode of authentication for the time being permitted by the law in that part of the British dominions where the examination is taken, may be substituted for the foregoing.

XI. If the fugitive has been arrested in the Principality of Monaco, his surrender shall be granted if, upon examination by a competent authority, it appears that the documents furnished by the British Government contain sufficient *prima facie* evidence to justify the extradition.

The authorities of the Principality shall admit as valid evidence records drawn up by the British authorities of the depositions of witnesses, or copies thereof, and records of conviction or other judicial documents or copies thereof: provided that the said documents be signed or authenticated by an authority whose competence shall be certified by the seal of a Minister of State of Her Britannic Majesty.

XII. The extradition shall not take place unless the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition, and that the crime of which he has been convicted is one in respect of which extradition could, at the time of such conviction, have been granted by the State applied to. In Her Britannic Majesty's dominions the fugitive criminal shall not be surrendered until the expiration of

15 days from the date of his being committed to prison to await his surrender.

XIII. If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date.

XIV. If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, or within such further time as the State applied to, or the proper Tribunal thereof, shall direct, the fugitive shall be set at liberty.

XV. All articles seized which were in the possession of the person to be surrendered, at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

XVI. All expenses connected with extradition shall be borne by the demanding State.

XVII. Either of the High Contracting Parties who may wish to have recourse for purposes of extradition to transit through the territory of a third Power shall be bound to arrange the condition of transit with such third Power.

XVIII. When in a criminal case of a non-political character either of the High Contracting Parties should think it necessary to take the evidence of witnesses residing in the dominions of the other, or to obtain any other legal evidence, a "Commission Rogatoire" to that effect shall be sent through the channel indicated in Article VIII, and effect shall be given thereto conformably to the laws in force in the place where the evidence is to be taken.

XIX. All documents which shall be reciprocally communicated in execution of the present Treaty shall be accompanied by a French or English translation (certified to be correct by the Consul who transmits the document in accordance with Article VIII), when they are not drawn up in the language of the country upon which the demand is made.

The expense of such translations shall be borne by the demanding State.

XX. The stipulations of the present Treaty shall be applicable to the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws for the time being in force in such Colonies and foreign possessions respectively will allow.

The requisition for the surrender of a fugitive criminal who has

taken refuge in any of such Colonies or foreign possessions may be made to the Governor or chief authority of such Colony or possession by any person authorized to act in such Colony or possession as a Consular officer of the Principality of Monaco.

Such requisitions may be disposed of, subject always, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British Colonies and foreign possessions for the surrender of criminals from Monaco who may take refuge within such Colonies and foreign possessions, on the basis, as nearly as may be, and so far as the law of such Colony or foreign possession will allow, of the provisions of the present Treaty.

Requisitions for the surrender of a fugitive criminal emanating from any Colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

XXI. The present Treaty shall come into force 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties at any time on giving to the other six months' notice of its intention to do so.

The Treaty shall be ratified, and the ratifications shall be exchanged at Paris as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Paris, the 17th day of December, 1891.

(L.S.) EDWIN H. EGERTON.

(L.S.) LE BARON DU CHARMEL.

LOI de la Belgique, apportant des Modifications à quelques Dispositions relatives au Mariage.—Laeken, le 26 Décembre, 1891.

LÉOPOLD II, Roi des Belges, à tous présents et à venir, salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :—

ART. 1^{er}. Avant la célébration du mariage, l'officier de l'État Civil fait une publication, un jour de Dimanche, à la porte de la maison commune. Cette publication énonce les prénoms, noms,

professions, domicile et résidence des futurs époux, leur qualité de majeur ou de mineur, et les prénoms, noms, professions, domicile et résidence de leurs pères et mères. Elle énonce en outre les jour, lieu et heure où elle a été faite. Elle est transcrite sur un seul registre, coté et paraphé comme il est dit en l'Article 41 du Code Civil, et déposé, à la fin de chaque année, au greffe du Tribunal de l'arrondissement.

2. L'acte de publication reste affiché à la porte de la maison commune. Le mariage ne peut être célébré avant le 10^e jour, depuis et non compris celui de la publication.

3. Si le mariage n'a pas été célébré dans l'année, à compter de l'expiration du délai de la publication, il ne peut plus être célébré qu'après une nouvelle publication faite dans la forme ci-dessus.

4. La publication ordonnée par l'Article 1^{er} de la présente Loi sera faite dans le lieu du domicile ou de la résidence de chacun des époux.

5. Si le domicile actuel n'a pas été d'une durée continue de six mois, la publication sera faite en outre au lieu du domicile précédent, quelle qu'en ait été la durée.

Si la résidence actuelle n'a pas été d'une durée continue de six mois, la publication sera faite au domicile, quelle qu'en soit la durée.

A défaut de domicile connu dans les cas prévus par les deux paragraphes qui précèdent, la publication sera faite dans la commune où le futur époux a résidé pendant six mois.

A défaut d'une résidence continue de six mois, elle sera faite au lieu de la naissance.

6. Les publications qui devront être faites ailleurs qu'au lieu de la célébration du mariage, le seront à partir du premier Dimanche qui suivra la réception de la réquisition écrite de l'officier de l'État Civil appelé à procéder à cette célébration. L'officier de l'État Civil requis ne pourra exiger production d'autres pièces.

7. Le Procureur du Roi près le Tribunal de Première Instance dans l'arrondissement duquel les impétrants se proposent de célébrer leur mariage peut dispenser, pour des causes graves, de la publication et de tout délai.

La même faculté est accordée aux Chefs de Mission et Consuls de carrière de Belgique, ainsi qu'aux Agents non rétribués du Corps Consulaire Belge jusqu'au grade de Vice-Consul inclusivement, pour autant qu'ils ne résident pas au siège d'une Légation ou d'un Consulat de carrière, sauf à ceux-ci à rendre immédiatement compte à la Légation ou au Consulat de carrière dont ils relèvent des causes de la dispense ou du refus de l'accorder.

8. Le mariage sera célébré publiquement devant l'officier de l'État Civil de la commune et dans la commune où l'un des époux

aura son domicile ou sa résidence à la date de la publication prévue par l'Article 1^{er} de la présente Loi, et, en cas de dispense de publication, à la date de la célébration.

9. L'Article 4 de la Loi du 16 Août, 1887,* apportant des modifications à quelques dispositions relatives au mariage est interprété de la manière suivante :

En cas d'indigence, l'acte de consentement prescrit par l'Article 73 du Code Civil pourra être reçu par l'officier de l'État Civil du domicile ou de la résidence de l'ascendant et, à l'étranger, par les autorités qui ont compétence pour recevoir cet acte, par les Agents Diplomatiques, les Consuls, et Vice-Consuls de Belgique.

10. Les Articles 63, 64, 65, 74, 165, 166, 167, 168, et 169 du Code Civil sont abrogés.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Laeken, le 26 Décembre, 1891.

(LS.) LÉOPOLD.

Par le Roi :

JULES LE JEUNE, *Ministre de la Justice.*

BRITISH ORDER IN COUNCIL, applying "The Fugitive Offenders Act, 1881,"† to certain Territories in South Africa.— Windsor, December 12, 1891.

At the Court at Windsor, the 12th day of December, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Lord George Hamilton.

Lord Burghley.

Lord Ashbourne.

WHEREAS by Treaty, grant, usage, sufferance, and other lawful means, Her Majesty has power and jurisdiction in the territories of South Africa, situate within the limits of this Order as hereinafter described :

And whereas by an Order in Council, dated the 17th day of November, 1888,‡ Part II of "The Fugitive Offenders Act, 1881," was applied to the following group of British possessions, namely :—

The Colony of the Cape of Good Hope ;

* Vol. LXXVIII, page 652.

† Vol. LXXII, page 622.

‡ See "Hertslet's Treaties." Vol. 18, page 485.

The Colony of Natal ;

British Bechuanaland, Basutoland, and Zululand ;

Now, therefore, Her Majesty by virtue and in exercise of the powers in that behalf by "The Fugitive Offenders Act, 1881,"* and "The Foreign Jurisdiction Act, 1890,"† in Her Majesty vested, or any other power or authority enabling Her Majesty so to do, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered as follows :—

PART I.

1. The limits of Part I of this Order are the parts of South Africa bounded by British Bechuanaland, the German Protectorate, the Rivers Chobe and Zambezi, the Portuguese possessions, and the South African Republic.

2. Subject to the provisions of this Order "The Fugitive Offenders Act, 1881," shall apply as if the territories within the limits of Part I of this Order were a British possession.

3. In "The Fugitive Offenders Act, 1881," as hereby applied to the said territories, unless the context otherwise requires, the expression "Governor" means Her Majesty's High Commissioner for the time being for South Africa.

4. The jurisdiction under Part I of "The Fugitive Offenders Act, 1881," to hear a case and commit a fugitive to prison to await his return, may be exercised in the said territories by any person having in the said territories authority to issue a warrant for the apprehension of persons accused of crime, and to commit such persons for trial.

PART II.

5. Part II of "The Fugitive Offenders Act, 1881," shall apply to the group hereinafter mentioned, that is to say, the British possessions named in the said Order in Council of the 17th day of November, 1888, and the parts of South Africa bounded by British Bechuanaland, the German Protectorate, the Rivers Chobe and Zambezi, the Portuguese possessions, and the South African Republic.

C. L. PEEL.

* Vol. LXXII, page 622.

† See Vol. LXXXII, page 650.

PROTOCOL recording the Deposit by certain Powers of their Ratifications of the Brussels Slave Trade Act of July 2, 1890.—Brussels, July 2, 1891.*

Étaient présents :

Pour l'Allemagne : son Excellence M. le Comte d'Alvensleben, Ministre d'Allemagne à Bruxelles ;

Pour l'Autriche-Hongrie : son Excellence M. le Comte Khevenhüller-Metsch, Ministre d'Autriche-Hongrie à Bruxelles ;

Pour la Belgique : M. le Baron Lambermont, Ministre d'État, M. Émile Banning, Directeur-Général au Ministère des Affaires Étrangères ;

Pour le Danemark : M. F. G. Schack de Brockdorff, Consul-Général de Danemark à Anvers ;

Pour l'Espagne : son Excellence M. Gutierrez de Aguëra, Ministre d'Espagne à Bruxelles ;

Pour l'État Indépendant du Congo : M. van Eetvelde, Administrateur-Général du Département des Affaires Étrangères de l'État Indépendant du Congo ;

Pour les États-Unis : son Excellence Mr. Edwin H. Terrell, Ministre des États-Unis d'Amérique à Bruxelles ;

Pour la Grande-Bretagne : Mr. Martin Gosselin, Chargé d'Affaires du Gouvernement de Sa Majesté Britannique à Bruxelles ;

Pour l'Italie : son Excellence M. le Baron de Renzis, Ministre d'Italie à Bruxelles ;

Pour les Pays-Bas : son Excellence M. le Baron Gericke de Herwynen, Ministre des Pays-Bas à Bruxelles ;

Pour la Perse : son Excellence le Général Nazare Aga, Ministre de Perse à Bruxelles ;

Pour la Russie : son Excellence M. le Prince Ouroussoff, Ministre de Russie à Bruxelles ;

Pour la Suède et la Norvège : son Excellence M. de Burenstam, Ministre de Suède et de Norvège à Bruxelles ;

Pour la Turquie : son Excellence Carathéodory Effendi, Ministre de Turquie à Bruxelles ;

Pour le Zanzibar : Mr. Martin Gosselin.

LES Soussignés se sont réunis au Ministère des Affaires Étrangères à Bruxelles, afin de procéder à l'exécution de l'Article XCIX de l'Acte Général de la Conférence de Bruxelles.

M. le Baron Lambermont, l'un des Représentants de la Belgique, donne lecture du dit Article et de l'avant-dernier paragraphe de la

* Vol. LXXXII, page 35.

Déclaration. Il fait connaître à l'Assemblée que le Gouvernement de Sa Majesté le Roi des Belges a reçu les instruments des ratifications de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse; de Sa Majesté le Roi des Belges; de Sa Majesté le Roi de Danemark; de Sa Majesté le Roi d'Espagne, et en son nom de Sa Majesté la Reine-Régente; de Sa Majesté le Roi-Souverain de l'État Indépendant du Congo; de Sa Majesté la Reine du Royaume-Uni de Grande-Bretagne et d'Irlande, Impératrice des Indes; de Sa Majesté le Roi d'Italie; de Sa Majesté la Reine des Pays-Bas et en son nom Sa Majesté la Reine-Régente; de Sa Majesté le Schah de Perse; de Sa Majesté le Roi de Suède et de Norvège; et de Sa Hautesse le Sultan de Zanzibar.

Les dites ratifications sont produites et après examen trouvées en bonne et due forme. Ces documents, conformément aux prescriptions de l'Article XCIX, resteront déposés dans les archives du Gouvernement du Royaume de Belgique.

Les Représentants des Puissances ci-dessus mentionnées donnent acte aux Représentants de la Belgique de ce dépôt.

Son Excellence le Comte Khevenhüller-Metsch déclare que Sa Majesté l'Empereur d'Autriche-Hongrie, son auguste Souverain, a signé les ratifications de l'Acte Général et de la Déclaration du 2 Juillet, 1890, qu'elles sont expédiées et seront, dès leur arrivée, dans un jour ou deux, déposées au Ministère des Affaires Étrangères de Belgique.

Son Excellence Carathéodory Effendi déclare que Sa Majesté l'Empereur des Ottomans, son auguste Souverain, a également signé les ratifications et qu'elles sont expédiées. Son Excellence rappelle la réserve que son Gouvernement a faite au sujet de l'emploi des caractères Turcs dans les cas prévus par l'Article XXXIV de l'Acte Général, réserve qui a été portée à la connaissance de tous les Gouvernements Signataires et n'a soulevé aucune objection.

Les Représentants des Puissances donnent acte à leurs Excellences de leurs déclarations.

Son Excellence le Prince Ouroussoff déclare que Sa Majesté l'Empereur de Toutes les Russies, son auguste Souverain, a signé l'Acte de ratification, mais son Excellence considère qu'il y a lieu d'en ajourner le dépôt jusqu'au moment où l'exécution de l'Acte Général sera définitivement assurée.

Son Excellence Mr. Terrell déclare qu'il n'est pas autorisé officiellement à prendre la parole dans cette réunion, étant sans instructions de son Gouvernement à cet égard. Il ne s'est rendu à cette assemblée que pour répondre à la courtoise invitation qui lui a été envoyée.

Toutefois, il croit pouvoir dire que la question de la ratification de l'Acte Général de Bruxelles est encore pendante devant le Sénat

des États-Unis, qui n'est actuellement pas en Session, mais se réunira vers le commencement du mois de Décembre prochain.

Son Excellence ajoute, d'une manière non officielle, mais à simple titre d'information pour MM. les Représentants des Puissances, que le Gouvernement des États-Unis, voulant témoigner du profond intérêt qu'il porte au succès de cette grande œuvre, a conclu un arrangement avec l'État du Congo dans le but exprès de rendre possible la ratification de l'Acte Général de Bruxelles par les autres Puissances Signataires.

Il est donné lecture de la lettre suivante adressée par son Excellence M. le Ministre de la République Française à Bruxelles à M. le Ministre des Affaires Etrangères de Belgique :—

“ Prince,

“ *Bruxelles, le 1^{er} Juillet, 1891.*

“ J'ai l'honneur de confirmer à votre Excellence l'information que j'ai donnée hier de vive voix à M. le Baron Lambermont; après une discussion prolongée qui a occupé les séances des 24 et 25 du mois dernier, la Chambre des Députés de France a décidé de surseoir à l'autorisation de ratifier l'Acte Général et la Déclaration de Bruxelles du 2 Juillet, ainsi que le Protocole du 9 Février dernier. Le Gouvernement de Sa Majesté a pu se rendre compte de la part que le Cabinet a prise à ce grave débat, il n'a certes pas dépendu de ses efforts que la conclusion n'en fût toute différente. Votre Excellence sait déjà d'ailleurs que les considérations qui ont influé sur les déterminations de la Chambre ont été tirées de la nature des mesures destinées à réprimer la Traite sur mer.

“ Il va de soi dès lors que nous nous trouverons, bien à regret, dans l'impossibilité d'apporter, dans les limites de temps prévues, c'est à-dire le 2 de ce mois, la ratification des arrangements préparés par la Conférence.

“ Dans ces circonstances mon Gouvernement ne verrait pas d'utilité à ma présence au sein de la réunion pour laquelle votre Excellence m'a fait l'honneur de m'adresser une convocation, et où tous ceux de mes collègues qui doivent y prendre part se trouvent avoir déjà en main les instruments des ratifications, ou sont en mesure d'annoncer qu'ils vont les recevoir à très bref délai.

“ Je saisis, &c.,

“ A. BOURÉE.”

Le Baron Lambermont fait connaître que M. le Chargé d'Affaires de Portugal à Bruxelles a annoncé au Gouvernement Belge que la Commission Parlementaire, en présence de la résolution de la Chambre Française, a décidé de surseoir de son côté au vote de la Loi approuvant l'Acte Général de Bruxelles. Le Gouvernement Portugais a pensé qu'il ne pouvait que se conformer à l'opinion de la Commission Parlementaire; et, en affirmant d'ailleurs ses senti-

ments humanitaires et sa bonne volonté, il a jugé qu'il n'y avait pas lieu, dans les circonstances actuelles, de se faire représenter à la réunion du 2 Juillet.

Considérant la situation créée par les Actes et les Déclarations rapportés ci-dessus, et animée du désir sincère de voir une entente unanime s'établir entre les Puissances, l'assemblée décide que le délai fixé par l'Article XCIX de l'Acte Général pour le dépôt des ratifications est prorogé jusqu'à une époque qui sera fixée de commun accord, aussitôt que les Puissances dont les Représentants n'assistent pas à la réunion ou n'ont pas les pouvoirs officiels nécessaires auront fait connaître leur adhésion à la prorogation.

Le présent Protocole leur restera ouvert à cet effet pendant un délai de 10 jours.

L'assemblée, avant de se séparer, exprime le désir que le Gouvernement de Sa Majesté le Roi des Belges veuille bien demander et recevoir les adhésions mentionnées au paragraphe précédent, et dès que celles-ci seraient acquises, prêter son intermédiaire pour amener l'entente entre les Puissances quant à la durée de la prorogation.

Les Représentants de la Belgique déféreront ce double vœu à leur Gouvernement et ne doutent pas qu'il sera accueilli.

En foi de quoi a été dressé le présent Protocole, dont une copie certifiée sera adressée, par les soins du Gouvernement de Sa Majesté le Roi des Belges, à chacune des autres Puissances ayant ratifié l'Acte Général et la Déclaration du 2 Juillet, 1890.

ALVENSLEBEN.
R. KHEVENHÜLLER.
LAMBERMONT.
É. BANNING.
SCHACK DE BROCKDORFF.
J. G. DE AGUËRA.
EDM. VAN EETVELDE.
EDWIN H. TERRELL.
A. BOURÉE.
MARTIN GOSSELIN.
F. DE BENZIS.
L. GERICKE.
NAZARE AGA.
L. OUROUSSOFF.
BARON DE SENDAL.
BURENSTAM.
ÉT. CARATHÉODORY.
MARTIN GOSSELIN.

PROCLAMATION by the President of the United States, warning Persons against entering Behring Sea for the purpose of killing Fur-bearing Animals (Seal Fishery).—Washington, April 4, 1891.

THE following provisions of the laws of the United States are hereby published for the information of all concerned.

Section 1956, Revised Statutes, Chapter 3, Title 23, enacts that:—

[See Vol. LXXXI, page 1273.]

Section 3 of the Act entitled “An Act to provide for the protection of the Salmon Fisheries of Alaska,” approved the 2nd March, 1889, provides that:—

[See Vol. LXXXI, page 237.]

Now, therefore, I, Benjamin Harrison, President of the United States, pursuant to the above recited Statutes, hereby warn all persons against entering the waters of Behring Sea within the dominion of the United States, for the purpose of violating the provisions of said section 1956, Revised Statutes; and I hereby proclaim that all persons found to be, or to have been, engaged in any violation of the laws of the United States, in said waters, will be arrested and punished as above provided, and that all vessels so employed, their tackle, apparel, furniture, and cargoes, will be seized and forfeited.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 4th day of April, 1891, and of the Independence of the United States the 115th.

(L.S.) BENJ. HARRISON.

By the President:

JAMES G. BLAINE, *Secretary of State.*

PROCLAMATION by the President of the United States, applying the Copyright Act of March 3, 1891, to Great Britain, Belgium, France, and Switzerland.—Washington, July 1, 1891.*

WHEREAS it is provided by section 13 of the Act of Congress of the 3rd March, 1891, entitled “An Act to amend Title 60,

* Page 97.

Chapter 3, of the Revised Statutes of the United States, relating to Copyrights," that said Act "shall only apply to a citizen or subject of a foreign State or nation when such foreign State or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens; or when such foreign State or nation is a party to an International Agreement which provides for reciprocity in the granting of copyright, by the terms of which Agreement the United States of America may, at its pleasure, become a party to such Agreement:"

And whereas it is also provided by said section that "the existence of either of the conditions aforesaid shall be determined by the President of the United States by Proclamation made from time to time as the purposes of this Act may require:"

And whereas satisfactory official assurances have been given that in Belgium, France, Great Britain and the British possessions, and Switzerland, the law permits to citizens of the United States the benefit of copyright on substantially the same basis as to the citizens of those countries:

Now, therefore, I, Benjamin Harrison, President of the United States of America, do declare and proclaim that the first of the conditions specified in section 13 of the Act of the 3rd March, 1891, is now fulfilled in respect to the citizens or subjects of Belgium, France, Great Britain, and Switzerland.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 1st day of July, 1891, and of the Independence of the United States the 115th.

(L.S.) BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

PROCLAMATION by the President of the United States, respecting a Reciprocal Commercial Arrangement between the United States and the Spanish Islands of Cuba and Porto Rico.—Washington, July 31, 1891.

WHEREAS, pursuant to section 3 of the Act of Congress approved the 1st October, 1890, entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Spain the action of the Congress of the

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United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America :

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Spain at Washington has communicated to the Secretary of State the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said Act, the Government of Spain will, by due legal enactment, and as a provisional measure, admit, from and after the 1st September, 1891, into all the established ports of entry of the Spanish islands of Cuba and Porto Rico, the articles or merchandize named in the following Transitory Schedule, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States :—

TRANSITORY SCHEDULE.

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico free of Duties.

1. Meats, in brine, salted or smoked, bacon, hams, and meats preserved in cans, in lard, or by extraction of air ; jerked beef excepted.
2. Lard.
3. Tallow and other animal greases, melted or crude, unmanufactured.
4. Fish and shell-fish, live, fresh, dried, in brine, smoked, pickled ; oysters and salmon in cans.
5. Oats, barley, rye, and buckwheat, and flour of these cereals.
6. Starch, maizena, and other alimentary products of corn, except corn-meal.
7. Cotton seed, oil, and meal-cake of said seed for cattle.
8. Hay, straw for forage, and bran.
9. Fruits, fresh, dried, and preserved, except raisins.
10. Vegetables and garden products, fresh and dried.
11. Resin of pine, tar, pitch, and turpentine.
12. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, round or cylindric masts, although cut, planed and tongued and grooved, including flooring.
13. Woods for cooperage, including staves, headings, and wooden hoops.
14. Wooden boxes, mounted or unmounted, except of cedar.
15. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
16. Waggons and carts for ordinary roads and agriculture.
17. Sewing machines.
18. Petroleum, raw or unrefined, according to the classification fixed in the existing orders for the importation of this article in said islands.
19. Coal, mineral.
20. Ice.

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico on payment of the Duties stated.

21. Corn or maize, 25 cents per 100 kilog.
22. Corn meal, 25 cents per 100 kilog.
23. Wheat, from 1st January, 1892, 30 cents per 100 kilog.
24. Wheat-flour, from 1st January, 1892, 1 dollar per 100 kilog.

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of Duty of 25 per cent.

25. Butter and cheese.
26. Petroleum, refined.
27. Boots and shoes, in whole or in part, of leather or skins.

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Spain in Washington has further communicated to the Secretary of State that the Government of Spain will, in like manner and as a definitive arrangement, admit, from and after the 1st July, 1892, into all the established ports of entry of the Spanish islands of Cuba and Porto Rico, the articles or merchandize named in the following Schedules (A), (B), (C), and (D), on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States.

SCHEDULE (A).

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico free of Duties.

1. Marble, jasper, and alabaster, natural or artificial, in rough or in pieces, dressed, squared, and prepared for taking shape.
2. Other stones and earthy matters, including cement, employed in building, the arts, and industries.
3. Waters, mineral or medicinal.
4. Ice.
5. Coal, mineral.
6. Resin, tar, pitch, turpentine, asphalt, schist, and bitumen.
7. Petroleum, raw or crude, in accordance with the classification fixed in the Tariff of said islands.
8. Clay, ordinary, in paving tiles, large and small, bricks, and roof tiles, unglazed, for the construction of buildings, ovens, and other similar purposes.
9. Gold and silver coin.
10. Iron, cast in pigs, and old iron and steel.
11. Iron, cast, in pipes, beams, rafters, and similar articles, for the construction of buildings, and in ordinary manufactures (see repertory).
12. Iron, wrought, and steel, in bars, rails and bars of all kinds, plates, beams, rafters, and other similar articles for construction of buildings.
13. Iron, wrought, and steel, in wire, nails, screws, nuts, and pipes.
14. Iron, wrought, and steel, in ordinary manufactures, and wire cloth unmanufactured (see repertory).

15. Cotton, raw, with or without seed.
16. Cotton seed, oil and meal-cake of same for cattle.
17. Tallow and all other animal greases, melted or crude, unmanufactured.
18. Books and pamphlets, printed, bound and unbound.
19. Woods of all kinds, in trunks or logs, joists, rafters, planks, beams, boards, and round or cylindric masts, although cut, planed, tongued, and grooved, including flooring.
20. Wooden cooperage, including staves, headings, and wooden hoops.
21. Wooden boxes, mounted or unmounted, except of cedar.
22. Woods, ordinary, manufactured into doors, frames, windows, and shutters, without paint or varnish, and wooden houses, unmounted, without paint or varnish.
23. Woods, ordinary, manufactured into all kinds of articles, turned or unturned, painted or varnished, except furniture (see repertory).
24. Manures, natural or artificial.
25. Implements, utensils, and tools for agriculture, the arts, and mechanical trades.
26. Machines and apparatus, agricultural, motive, industrial, and scientific, of all classes and materials, and loose pieces for the same, including waggons, carts, and hand-carts for ordinary roads and agriculture.
27. Material and articles for public works, such as railroads, tramways, roads, canals for irrigation and navigation, use of waters, ports, lighthouses, and civil construction of general utility, when introduced by authorization of the Government, or if free admission is obtained in accordance with local laws.
28. Materials of all classes for the construction, repair in whole or in part, of vessels, subject to specific regulations to avoid abuse in the importation.
29. Meats, in brine, salted and smoked, including bacon, hams, and meats preserved in cans, in lard, or by extraction of air; jerked beef excepted.
30. Lard and butter.
31. Cheese.
32. Fish and shell-fish, live, fresh, dried, in brine, salted, smoked, and pickled; oysters and salmon in cans.
33. Oats, barley, rye, and buckwheat, and flour of these cereals.
34. Starch, maizena, and other alimentary products of corn, except corn-meal.
35. Fruits, fresh, dried, and preserved, except raisins.
36. Vegetables and garden products, fresh and dried.
37. Hay, straw for forage, and bran.
38. Trees, plants, shrubs, and garden seeds.
39. Tan bark.

SCHEDULE (B).

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico on payment of the Duties stated.

40. Corn or maize, 25 cents per 100 kilog.
41. Corn-meal, 25 cents per 100 kilog.
42. Wheat, 30 cents per 100 kilog.
43. Wheat-flour, 1 dollar per 100 kilog.
44. Carriages, cars, and other vehicles for railroads or tramways, where authorization of the Government for free admission has not been obtained, 1 per cent. *ad valorem*.

SCHEDULE (C).

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of Duty of 50 per cent.

45. Marble, jasper, and alabaster, of all kinds, cut into flags, slabs, or steps, and the same worked or carved in all kinds of articles, polished or not.

46. Glass and crystal ware, plate and window glass, and the same silvered, quicksilvered, and platinized.

47. Clay in tiles, large and small, and mosaic for pavements, coloured tiles, roof tiles glazed, and pipes.

48. Stoneware and fine earthenware, and porcelain.

49. Iron, cast, in fine manufactures or those polished, with coating of porcelain or part of other metals (see repertory).

50. Iron, wrought, and steel, in axles, tires, springs, and wheels for carriages, rivets, and their washers.

51. Iron, wrought, and steel, in fine manufactures or those polished, with coating of porcelain or part of other metals, not expressly comprised in other numbers of these Schedules, and platform scales for weighing (see repertory).

52. Needles, pens, knives (table and carving), razors, pen-knives, scissors, pieces for watches, and other similar articles of iron and steel.

53. Tin-plate, in sheets or manufactured.

54. Copper, bronze, brass, and nickel, and alloys of same with common metals, in lump or bars, and all manufactures of the same.

55. All other common metals and alloys of the same, in lump or bars, and all manufactures of the same, plain, varnished, gilt, silvered, or nickeled.

56. Furniture of all kinds, of wood or metal, including school furniture, blackboards and other materials for schools, and all kinds of articles of fine woods not expressly comprised in other numbers of these Schedules (see repertory).

57. Rushes, esparto, vegetable hair, broom corn, willow, straw, palm, and other similar materials, manufactured into articles of all kinds.

58. Pastes for soups, rice flour, bread, and crackers, and alimentary farinas, not comprised in other numbers of these Schedules.

59. Preserved alimentary substances and canned goods, not comprised in other numbers of these Schedules, including sausages, stuffed meats, mustards, sauces, pickles, jams, and jellies.

60. Rubber and gutta-percha, and manufactures thereof, alone or mixed with other substances (except silk), and oilcloths and tarpaulin.

61. Rice, hulled or unhulled.

SCHEDULE (D).

Products or Manufactures of the United States to be admitted into Cuba and Porto Rico at a reduction of duty of 25 per cent.

62. Petroleum, refined, and benzine.

63. Cotton, manufactured, spun or twisted, and in goods of all kinds, woven or knit, and the same mixed with other vegetable or animal fibres in which cotton is an equal or greater component part, and clothing exclusively of cotton.

64. Rope, cordage, and twine, of all kinds.

65. Colours, crude and prepared, with or without oil, inks of all kinds, shoe-blackening and varnishes.
66. Soap, toilet, and perfumery.
67. Medicines, proprietary or patent, and all others, and drugs.
68. Stearine and tallow manufactured in candles.
69. Paper for printing, for decorating rooms, of wood or straw for wrapping and packing, and bags and boxes of same, sand-paper, and paste-board.
70. Leather and skins, tanned, dressed, varnished, or japanned, of all kinds, including sole-leather or belting.
71. Boots and shoes, in whole or in part of leather or skins.
72. Trunks, valises, travelling-bags, portfolios, and other similar articles, in whole or in part of leather.
73. Harness and saddlery of all kinds.
74. Watches and clocks, of gold, silver, or other metals, with cases of stone, wood, or other material, plain or ornamented.
75. Carriages of two or four wheels, and pieces of the same.

It is understood that flour which, on its exportation from the United States, has been favoured with drawbacks shall not share in the foregoing reduction of duty.

The provisional arrangement as set forth in the Transitory Schedule shall come to an end on the 1st July, 1892, and on that date be substituted by the definitive arrangement as set forth in Schedules (A), (B), (C), and (D).

And that the Government of Spain has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing Schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer, nor impose any additional charges or fees therefor on the articles imported.

And whereas the Secretary of State has, by my direction, given assurance to the Envoy Extraordinary and Minister Plenipotentiary of Spain at Washington that this action of the Government of Spain, in granting exemption of duties to the products and manufactures of the United States of America on their importation into Cuba and Porto Rico is accepted for those islands as a due reciprocity for the action of Congress as set forth in section 3 of said Act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above stated modifications of the Tariff laws of Cuba and Porto Rico to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 31st day of July, 1891,

and of the Independence of the United States of America the 116th.

(L.S.) BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

PROCLAMATION by the President of the United States, respecting a Reciprocal Commercial Arrangement between the United States and the Dominican Republic.—Washington, August 1, 1891.

WHEREAS, pursuant to section 3 of the Act of Congress approved the 1st October, 1890, entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the Dominican Republic the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America:

And whereas the Envoy Extraordinary and Minister Plenipotentiary of the Dominican Republic at Washington has communicated to the Special Plenipotentiary of the United States the fact that, in reciprocity and compensation for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said Act, the Government of the Dominican Republic will, by due legal enactment, admit, from and after the 1st September, 1891, into all the established ports of entry of the Dominican Republic, the articles or merchandize named in the following Schedules, on the terms stated therein, provided that the same be the product or manufacture of the United States and proceed directly from the ports of said States:—

SCHEDULE (A).

Articles to be admitted free of Duty into the Dominican Republic.

1. Animals, live.
2. Meats of all kinds, salted or in brine, but not smoked.
3. Corn or maize, corn-meal and starch.
4. Oats, barley, rye, and buckwheat, and flour of these cereals.
5. Hay, bran, and straw for forage.
6. Trees, plants, vines, and seeds and grains of all kinds for propagation.

7. Cotton-seed oil, and meal-cake of same.
8. Tallow, in cake or melted, and oil for machinery, subject to examination and proof respecting the use of said oil.
9. Resin, tar, pitch, and turpentine.
10. Manures, natural and artificial.
11. Coal, mineral.
12. Mineral waters, natural and artificial.
13. Ice.
14. Machines, including steam-engines, and those of all other kinds, and parts of the same, implements and tools for agricultural, mining, manufacturing, industrial, and scientific purposes, including carts, waggons, hand-carts, and wheel-barrowes, and parts of the same.
15. Material for the construction and equipment of railways.
16. Iron, cast and wrought, and steel, in pigs, bars, rods, plates, beams, rafters, and other similar articles for the construction of buildings, and in wire, nails, screws, and pipes.
17. Zinc, galvanized and corrugated iron, tin and lead in sheets, asbestos, tar-paper, tiles, slate, and other material for roofing.
18. Copper, in bars, plates, nails, and screws.
19. Copper and lead pipe.
20. Bricks, fire-bricks, cement, lime, artificial stone, paving tiles, marble and other stones, in rough, dressed, or polished, and other earthy materials used in building.
21. Windmills.
22. Wire, plain or barbed, for fences, with hooks, staples, nails, and similar articles used in the construction of fences.
23. Telegraph wire, and telegraphic, telephonic, and electrical apparatus of all kinds for communication and illumination.
24. Wood and lumber of all kinds for building, in logs or pieces, beams, rafters, planks, boards, shingles, flooring, joists, wooden houses, mounted or unmounted, and accessory parts of buildings.
25. Cooperage of all kinds, including staves, headings, and hoops, barrels, and boxes, mounted or unmounted.
26. Materials for ship-building.
27. Boats and lighters.
28. School furniture, black-boards, and other articles exclusively for the use of schools.
29. Books, bound or unbound, pamphlets, newspapers, and printed matter, and paper for printing newspapers.
30. Printers' inks of all colours, type, leads, and all accessories for printing.
31. Sacks, empty, for packing sugar.
32. Gold and silver coin and bullion.

SCHEDULE (B).

Articles to be admitted into the Dominican Republic at a reduction of Duty of 25 per cent.

33. Meats not included in Schedule (A) and meat products of all kinds, except lard.
34. Butter, cheese, and condensed or canned milk.
35. Fish and shell-fish, salted, dried, smoked, pickled, or preserved in cans.
36. Fruits and vegetables, fresh, canned, dried, pickled, or preserved.

37. Manufactures of iron and steel, single or mixed, not included in Schedule (A).

38. Cotton, manufactured, spun or twisted, and in fabrics of all kinds, woven or knit, and the same fabrics mixed with other vegetable or animal fibres in which cotton is the equal or greater component part.

39. Boots and shoes, in whole or in part of leather or skins.

40. Paper for writing, in envelopes, ruled or blank books, wall-paper, paper for wrapping and packing, for cigarettes, in cardboard, boxes and bags, sand-paper, and pasteboard.

41. Tin-plate and tin ware, for arts, industries, and domestic uses.

42. Cordage, rope, and twine, of all kinds.

43. Manufactures of wood of all kinds not embraced in Schedule (A), including wooden ware, implements for household use, and furniture, in whole or in part of wood.

And that the Government of the Dominican Republic has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing Schedules are the product or manufacture of the United States of America shall place no undue restrictions on the importer, nor impose any additional charges or fees therefor on the articles imported.

And whereas the Special Plenipotentiary of the United States has, by my direction, given assurance to the Envoy Extraordinary and Minister Plenipotentiary of the Dominican Republic at Washington that this action of the Government of the Dominican Republic, in granting exemption of duties to the products and manufactures of the United States of America on their importation into the Dominican Republic, is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said Act:

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above stated modifications of the Tariff laws of the Dominican Republic to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 1st day of August, 1891, and of the Independence of the United States of America the 116th.

(L.S.) BENJ. HARRISON.

By the President:

WILLIAM F. WHARTON, *Acting Secretary of State.*

PROCLAMATION by the President of the United States, suspending the Collection of Tonnage Duty on Vessels from the Island of Tobago.—Washington, December 2, 1891.

WHEREAS satisfactory proof has been given to me that no tonnage or lighthouse dues, or other equivalent tax or taxes, are imposed upon vessels of the United States in the ports of the Island of Tobago, one of the British West India Islands:

Now, therefore, I, Benjamin Harrison, President of the United States of America, by virtue of the authority vested in me by section 11 of the Act of Congress, entitled "An Act to abolish certain fees for official services to American vessels, and to amend the Laws relating to Shipping Commissioners, seamen, and owners of vessels, and for other purposes," approved the 19th June, 1886,* do hereby declare and proclaim that from and after the date of this my Proclamation shall be suspended the collection of the whole of the tonnage duty which is imposed by said section of said Act upon vessels entered in the ports of the United States from any of the ports of the Island of Tobago.

Provided, that there shall be excluded from the benefits of the suspension hereby declared and proclaimed the vessels of any foreign country in whose ports the fees or dues of any kind or nature imposed on vessels of the United States, or the import or export duties on their cargoes, are in excess of the fees, dues, or duties imposed on the vessels of such country, or on the cargoes of such vessels; but this proviso shall not be held to be inconsistent with the special regulation by foreign countries of duties and other charges on their own vessels, and the cargoes thereof, engaged in their coasting trade, or with the existence between such countries and other States of reciprocal stipulations founded on special conditions and equivalents, and thus not within the treatment of American vessels under the most-favoured-nation clause in Treaties between the United States and such countries.

And the suspension hereby declared and proclaimed shall continue so long as the reciprocal exemption of vessels belonging to citizens of the United States, and their cargoes, shall be continued in the said ports of the Island of Tobago and no longer.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 2nd day of December,

* Vol. LXXVII, page 598.

in the year of Our Lord 1891, and of the Independence of the United States the 116th.

(L.S.) BENJ. HARRISON.

By the President :

JAMES G. BLAINE, *Secretary of State.*

PROCLAMATION by the President of the United States, respecting a Reciprocal Commercial Arrangement between the United States and Salvador.—Washington, December 31, 1891.

WHEREAS, pursuant to section 3 of the Act of Congress approved the 1st October, 1890, entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of Salvador the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3 to be exempt from duty upon their importation into the United States of America :

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Salvador at Washington has communicated to the Secretary of State the fact that, in reciprocity for the admission into the United States of America free of all duty of the articles enumerated in section 3 of said Act, the Government of Salvador will, by due legal enactment, as a provisional measure and until a more complete arrangement may be negotiated and put in operation, admit free of all duty, from and after the 1st February, 1892, into all the established ports of entry of Salvador, the articles or merchandize named in the following Schedule, provided that the same be the product or manufacture of the United States :—

SCHEDULE.

Products and Manufactures which the Republic of Salvador will admit free of all Customs, Municipal, and any other kind of Duty.

1. Animals for breeding purposes.
2. Corn, rice, barley, and rye.
3. Beans.
4. Hay and straw, for forage.
5. Fruits, fresh.
6. Preparations of flour in biscuits, crackers not sweetened, macaroni, vermicelli, and tallarin.
7. Coal, mineral.

8. Roman cement.
9. Hydraulic lime.
10. Bricks, fire-bricks, and crucibles for melting.
11. Marble, dressed, for furniture, statues, fountains, grave-stones, and building purposes.
12. Tar, vegetable and mineral.
13. Guano, and other fertilizers, natural or artificial.
14. Ploughs and all other agricultural tools and implements.
15. Machinery of all kinds, including sewing-machines; and separate or extra parts for the same.
16. Materials of all kinds for the construction and equipment of railroads.
17. Materials of all kinds for the construction and operation of telegraphic and telephonic lines.
18. Materials of all kinds for lighting by electricity and gas.
19. Materials of all kinds for the construction of wharves.
20. Apparatus for distilling liquors.
21. Wood of all kinds for building, in trunks or pieces, beams, rafters, planks, boards, shingles, or flooring.
22. Wooden staves, heads, and hoops, and barrels and boxes for packing mounted or in pieces.
23. Houses of wood or iron, complete or in parts.
24. Waggon, carts, and carriages, of all kinds.
25. Barrels, casks, and tanks of iron, for water.
26. Tubes of iron and all other accessories necessary for water supply.
27. Wire, barbed, and staples for fences.
28. Plates of iron for building purposes.
29. Mineral ores.
30. Kettles of iron for making salt.
31. Kettles of iron for making sugar.
32. Moulds for making sugar.
33. Guys for mining purposes.
34. Furnaces and instruments for assaying metals.
35. Scientific instruments.
36. Models of machinery and buildings.
37. Boats, lighters, tackle, anchors, girtlines, sails, and all other articles for vessels, to be used in the ports, lakes, and rivers of the Republic.
38. Printing materials, including presses, type, ink, and all other accessories.
39. Printed books, pamphlets, and newspapers, bound or unbound, maps, photographs, printed music, and paper for music.
40. Paper for printing newspapers.
41. Quicksilver.
42. Lodestones.
43. Hops.
44. Sulphate of quinine.
45. Gold and silver, in bars, dust, or coin.
46. Samples of merchandise the duties on which do not exceed 1 dollar.

It is understood that the packages or coverings in which the articles named in the foregoing Schedule are imported shall be free of duty if they are usual and proper for the purpose.

And that the Government of Salvador has further stipulated

that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing Schedule are the product or manufacture of the United States of America shall impose no additional charges on the importer, nor undue restrictions on the articles imported.

And whereas the Secretary of State has, by my direction, given assurance to the Envoy Extraordinary and Minister Plenipotentiary of Salvador at Washington that this action of the Government of Salvador, in granting freedom of duties to the products and manufactures of the United States of America on their importation into Salvador, and in stipulating for a more complete reciprocity arrangement, is accepted as a due reciprocity for the action of Congress as set forth in section 3 of said Act :

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above stated modifications of the Tariff laws of Salvador to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this 31st day of December, 1891, and of the Independence of the United States of America the 116th.

(L.S.) BENJ. HARRISON.

By the President :

JAMES G. BLAINE, *Secretary of State*.

ORDINANCE of the British South Africa Company, regulating Trading and the Delivery of Fire-arms.

[No. 2.]

[July 30, 1891.]

IN pursuance of the powers for making Ordinances conferred on the British South Africa Company by or under Her Majesty's Charter of the 29th day of October, 1889,* and of every other power enabling the Company in that behalf :

It is hereby ordained by the British South Africa Company (hereinafter called "the Company") as follows :—

1. The limits of this Ordinance shall be Mashonaland, that is to say, Fort Tuli and an area 10 miles round that fort, and the territories north of the 22nd parallel of south latitude, but excluding the territory known as the Disputed Territory lying between the Shashi and Maccloutsie Rivers, and all territories belonging to the Chief

Khama of the Bamangwato and the territory known as the district of the Tati.

2. No person shall be allowed to trade at any place within the limits of the Ordinance unless he shall have first obtained a licence for that purpose from the Company.

3. Every such licence shall remain in force for the term stated therein, not exceeding in any case the term of 12 months from the date thereof.

4. Such licence may authorize the holder either to move from place to place for the purpose of his trade, or to establish some fixed trading station at a place to be approved of by the Company.

5. The Company reserves power to refuse to issue any such licence on the original application, or to refuse to issue a fresh licence on the expiration of any preceding licence.

6. In any case in which the renewal of a licence shall be refused by the Company, and in any case in which a licence shall be forfeited as hereinafter provided, the holder of such licence shall be permitted at any time within three months (unless the same shall have become liable to seizure) to remove the materials of any building which he may have erected at his trading station, together with any movable property belonging to him, and failing such removal within the time appointed, such materials and property may be removed and sold by the Company, and the proceeds of such sale shall be applied, as far as may be necessary, to the payment of all expenses incurred, and the balance shall be paid to the owner of the same. No claim to compensation for loss incurred by such removal will be admitted. But such trader will be allowed to continue trading to the end of the three months on paying in advance at the beginning of each of these months the sum of 1*l*.

7. For the purposes of this Ordinance the term "trading" shall be taken to include exchange or barter.

8. The sale or gift or disposal in any way to any native of wine or beer or any spirituous liquor is strictly prohibited. Any person convicted of acting in contravention of this prohibition shall be liable to a penalty not exceeding the sum of 20*l*., and in case of a second or any subsequent conviction shall be liable to a penalty not exceeding the sum of 40*l*., and in the case of a holder of any trading licence he shall, whether upon a first or any subsequent conviction, be liable also to the forfeiture of his licence, at the discretion of the Company, and all wine, beer, or spirituous liquor that may be found in the possession of the person convicted shall be forfeited. No wine, beer, or spirituous liquor shall be brought within the limits of this Ordinance without the permission, in writing, of the Company first had and obtained, and if any person shall introduce any wine, beer, or spirituous liquors, without having previously obtained the

permission in writing above mentioned, such wine, beer, or spirituous liquor shall be forfeited, and such person shall be liable to a penalty not exceeding 20*l*.

9. Any person trading without a licence, or after the expiration of the term for which it shall have been granted, or in violation of the conditions thereof, or after the same shall have been forfeited, shall be liable to a penalty not exceeding 10*l*.

10. It shall be lawful for the Company, or any Magistrate within the limits of his jurisdiction, at any time to demand the production, by any person trading, of his licence, and any such person refusing or failing to produce the same shall be liable to a penalty not exceeding 10*l*.

11. Any trading station or premises, or waggon, or other vehicle, used or suspected of being used for the purposes of trade, shall at all times be liable to the examination of any person thereto authorized, in writing, by the Company, or any Magistrate within the limits of his jurisdiction, and the owner or person in charge of any such station, premises, waggon, or vehicle who shall obstruct such examination shall be liable to a penalty not exceeding 10*l*.

12. The amount payable for a trading licence shall be 10*l*. for one year, or such other sum as the Company shall from time to time fix. Provided that the Company may in the case of travelling traders make and fix an additional charge of 1*l*. for every vehicle beyond one employed by him in his business. All licences shall expire on the 31st December of each year, or on such other day as shall be fixed by the Company. A licence taken out before the 30th June in any year shall be paid for at the full rate of an annual licence, but if taken out after the 30th June then only one-half of the annual sum will be charged. All licences shall be paid for in full at the time of issue.

13. Every waggon entering within the limits of this Ordinance must do so under authority of a permit signed by such person as shall be authorized by the Company, and any waggon found within the said limits shall be liable to seizure by the Company or any Magistrate, unless some person in charge or custody of such waggon shall forthwith on demand produce such permit. The persons authorized to sign such permits shall be notified in the "Government Gazette" of the Colony of the Cape of Good Hope.

14. No transfer of any licence will be valid unless the same be approved in writing by some duly authorized officer of the Company.

15. No gunpowder or other explosive, and no cartridges, and no gun, pistol, or other fire-arms, and no lock, stock, barrel, or any other part of any gun, pistol, or other fire-arms, and no percussion caps, shall be brought within the limits of this Ordinance, without

the permission, in writing, of the Company or of a Magistrate first had and obtained; and if any person shall bring any of the said articles within the said limits, without having previously obtained the permission in writing above mentioned, such article or articles shall be forfeited, and such person shall be liable to a penalty not exceeding 100*l.*, or to imprisonment for any period not exceeding two years.

16. Any person applying for any such permission as aforesaid shall do so in writing, setting forth the place to which it is intended to take the articles described in such application, and no officer of the Company or Magistrate shall grant any such permission as aforesaid to any person to bring any of the articles aforesaid within the said limits until he shall have transmitted such written application with his report thereon to the Administrator in Mashonaland, and shall have received the authority of that officer to grant the permission sought.

17. No person shall, within the limits of this Ordinance, supply to any native any gun, pistol, or other fire-arm, or any lock, stock, barrel, or other part of a gun, pistol, or other fire-arm, or any percussion caps, or any gunpowder or other explosive, or any cartridges, or any lead or other material for bullets, or shot, without the permission, in writing, of the Company or of a Magistrate, under a penalty not exceeding 100*l.*, or under pain of imprisonment for any period not exceeding two years. The Company shall not nor shall any officer of the Company or any Magistrate be bound to assign any reason for refusing to sanction any such supply.

18. Within so much of the limits of this Ordinance as is comprised within Article VIII of the General Act of the Brussels Conference of 1889-90, the provisions of that Article and of Article IX of the said General Act shall be observed in accordance with any regulations which may from time to time be framed and published by Her Majesty's High Commissioner for South Africa by notice in the "Government Gazette" of the Colony of the Cape of Good Hope. The aforesaid Articles are set forth in the Schedule to this Ordinance.

19. Any penalties imposed by this Ordinance may be sued for before the Administrator in Mashonaland, or a Magistrate having jurisdiction, and all such penalties may be recovered by the seizure and sale of any property belonging to the person convicted, and one-half of the penalties recovered under this Ordinance shall in each case be paid to the person on whose information the conviction shall have been obtained, and the balance shall be paid to the Company. Upon non-payment of any such fine or penalty the person liable to make payment thereof shall (where no other term of imprisonment is by law prescribed) be subject to be imprisoned

with or without hard labour for any period not exceeding six months.

20. The powers and provisions of this Ordinance may be exercised and executed on behalf of the Company by the Administrator for Mashonaland or by any other duly authorized officer of the Company.

THE SCHEDULE.

Articles VIII and IX of the General Act of the Brussels Conference of 1889-90.

[See Vol. LXXXII, page 60.]

God save the Queen !

Given at 19, St. Swithin's Lane, in the city of London, the head office of the Company, this 30th day of July, 1891.

(L.S.) GIFFORD,

(L.S.) GEORGE CAWSTON,

C. H. WEATHERLEY, *Secretary.*

Directors.

Approved:

KNUTSFORD.

July 31, 1891.

ACT of Congress of the United States, to amend Title 60, Chapter 3, of the Revised Statutes of the United States, relating to Copyrights.

[Chap. 565.]

[March 3, 1891.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that Section 4952 of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

"Section 4952. The author, inventor, designer, or proprietor of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models or designs intended to be perfected as works of the fine arts, and the executors, administrators, or assigns of any such person, shall, upon complying with the provisions of this Chapter, have the sole liberty of printing, reprinting, publishing, completing, copying, executing, finishing, and vending the same; and, in the case of dramatic composition, of publicly performing or representing it or causing it to be performed

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or represented by others; and authors or their assigns shall have exclusive right to dramatize and translate any of their works for which copyright shall have been obtained under the laws of the United States."

§ 2. That Section 4954 of the Revised Statutes be, and the same is hereby, amended so as to read as follows:

"Section 4954. The author, inventor, or designer, if he be still living, or his widow or children, if he be dead, shall have the same exclusive right continued for the further term of 14 years, upon recording the title of the work or description of the article so secured a second time, and complying with all other regulations in regard to original copyrights, within six months before the expiration of the first term; and such persons shall, within two months from the date of said renewal, cause a copy of the record thereof to be published in one or more newspapers printed in the United States for the space of four weeks."

§ 3. That Section 4956 of the Revised Statutes of the United States be, and the same is hereby, amended so that it shall read as follows:

"Section 4956. No person shall be entitled to a copyright unless he shall, on or before the day of publication in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or chromo, or a description of the painting, drawing, statue, statuary, or a model or design for a work of the fine arts for which he desires a copyright, nor unless he shall also, not later than the day of the publication thereof in this or any foreign country, deliver at the office of the Librarian of Congress, at Washington, District of Columbia, or deposit it in the mail within the United States, addressed to the Librarian of Congress, at Washington, District of Columbia, two copies of such copyright book, map, chart, dramatic or musical composition, engraving, chromo, cut, print, or photograph, or in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of same: provided that in the case of a book, photograph, chromo, or lithograph, the two copies of the same required to be delivered or deposited as above shall be printed from type set within the limits of the United States, or from plates made therefrom, or from negatives, or drawings on stone made within the limits of the United States, or from transfers made therefrom. During the existence of such copyright the importation into the United States of any book, chromo, lithograph, or photograph so copyrighted, or any edition or editions thereof, or any plates of the

same not made from type set, negatives, or drawings on stone made within the limits of the United States, shall be, and it is hereby, prohibited, except in the cases specified in paragraphs 512 to 516 inclusive, in Section 2 of the Act entitled "An Act to reduce the revenue and equalize the duties on imports, and for other purposes," approved the 1st October, 1890; and except in the case of persons purchasing for use and not for sale, who import subject to the duty thereon, not more than two copies of such book at any one time; and except in the case of newspapers and magazines, not containing in whole or in part matter copyrighted under the provisions of this Act, unauthorized by the author, which are hereby exempted from prohibition of importation: provided, nevertheless, that in the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted."

§ 4. That Section 4958 of the Revised Statutes be, and the same is hereby, amended so that it will read as follows:

"Section 4958. The Librarian of Congress shall receive from the persons to whom the services designated are rendered the following fees:

"1. For recording the title or description of any copyright book or other article, 50 cents.

"2. For every copy under seal of such record actually given to the person claiming the copyright, or his assigns, 50 cents.

"3. For recording and certifying any instrument of writing for the assignment of a copyright, 1 dollar.

"4. For every copy of an assignment, 1 dollar.

"All fees so received shall be paid into the Treasury of the United States: provided that the charge for recording the title or description of any article entered for copyright, the production of a person not a citizen or resident of the United States, shall be 1 dollar, to be paid as above into the Treasury of the United States, to defray the expenses of lists of copyrighted articles as hereinafter provided for.

"And it is hereby made the duty of the Librarian of Congress to furnish to the Secretary of the Treasury copies of the entries of titles of all books and other articles wherein the copyright has been completed by the deposit of two copies of such book printed from type set within the limits of the United States, in accordance with the provisions of this Act and by the deposit of two copies of such other article made or produced in the United States; and the Secretary of the Treasury is hereby directed to prepare and print, at intervals of not more than a week, catalogues of such title-entries for distribution to the Collectors of Customs of the United States,

and to the Postmasters of all Post Offices receiving foreign mails, and such weekly lists, as they are issued, shall be furnished to all parties desiring them, at a sum not exceeding 5 dollars per annum; and the Secretary and the Postmaster-General are hereby empowered and required to make and enforce such rules and regulations as shall prevent the importation into the United States, except upon the conditions above specified, of all articles prohibited by this Act."

§ 5. That Section 4959 of the Revised Statutes be, and the same is hereby, amended so as to read as follows :

"Section 4959. The proprietor of every copyright, book or other article shall deliver at the office of the Librarian of Congress, or deposit in the mail, addressed to the Librarian of Congress, at Washington, District of Columbia, a copy of every subsequent edition wherein any substantial changes shall be made: provided, however, that the alterations, revisions, and additions made to books by foreign authors, heretofore published, of which new additions shall appear subsequently to the taking effect of this Act, shall be held and deemed capable of being copyrighted as above provided for in this Act, unless they form a part of the series in course of publication at the time this Act shall take effect."

§ 6. That Section 4963 of the Revised Statutes be, and the same is hereby, amended so as to read as follows :

"Section 4963. Every person who shall insert or impress such notice, or words of the same purport, in or upon any book, map, chart, dramatic, or musical composition, print, cut, engraving, or photograph, or other article, for which he has not obtained a copyright, shall be liable to a penalty of 100 dollars, recoverable one-half for the person who shall sue for such penalty and one-half to the use of the United States."

§ 7. That Section 4964 of the Revised Statutes be, and the same is hereby, amended so as to read as follows :

"Section 4964. Every person who, after the recording of the title of any book and the depositing of two copies of such book, as provided by this Act, shall, contrary to the provisions of this Act, within the term limited, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, print, publish, dramatize, translate, or import, or knowing the same to be so printed, published, dramatized, translated, or imported, shall sell or expose to sale any copy of such book, shall forfeit every copy thereof to such proprietor, and shall also forfeit and pay such damages as may be recovered in a civil action by such proprietor in any Court of competent jurisdiction."

§ 8. That Section 4965 of the Revised Statutes be, and the same is hereby, so amended as to read as follows :

"Section 1965. If any person, after the recording of the title of any map, chart, dramatic or musical composition, print, cut, engraving, or photograph, or chromo, or of the description of any painting, drawing, statue, statuary, or model or design intended to be perfected and executed as a work of the fine arts, as provided by this Act, shall within the term limited, contrary to the provisions of this Act, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, engrave, etch, work, copy, print, publish, dramatize, translate, or import, either in whole or in part, or by varying the main design with intent to evade the law, or, knowing the same to be so printed, published, dramatized, translated, or imported, shall sell or expose to sale any copy of such map, or other article as aforesaid, he shall forfeit to the proprietor all the plates on which the same shall be copied and every sheet thereof, either copied or printed, and shall further forfeit 1 dollar for every sheet of the same found in his possession, either printing, printed, copied, published, imported, or exposed for sale, and in case of a painting, statue, or statuary, he shall forfeit 10 dollars for every copy of the same in his possession, or by him sold or exposed for sale; one-half thereof to the proprietor and the other half to the use of the United States."

§ 9. That Section 1967 of the Revised Statutes be, and the same is hereby, amended so as to read as follows :

"Section 1967. Every person who shall print or publish any manuscript whatever without the consent of the author or proprietor first obtained, shall be liable to the author or proprietor for all damages occasioned by such injury."

§ 10. That Section 1971 of the Revised Statutes be, and the same is hereby, repealed.

§ 11. That for the purpose of this Act each volume of a book in two or more volumes, when such volumes are published separately and the first one shall not have been issued before this Act shall take effect, and each number of a periodical, shall be considered an independent publication, subject to the form of copyrighting as above.

§ 12. That this Act shall go into effect on the 1st day of July, A.D. 1891.

§ 13. That this Act shall only apply to a citizen or subject of a foreign State or nation when such foreign State or nation permits to citizens of the United States of America the benefit of copyright on substantially the same basis as its own citizens; or when such foreign State or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States of America may, at its pleasure, become a party to such agreement. The existence of

either of the conditions aforesaid shall be determined by the President of the United States by Proclamation made from time to time as the purposes of this Act may require.

Approved the 3rd March, 1891.

BRITISH ORDER IN COUNCIL, establishing a Table of Fees to be levied by Her Majesty's Courts in the Ottoman Dominions.— Windsor, February 23, 1891.

At the Court at Windsor, the 23rd day of February, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Archbishop of York.	Earl of Limerick.
Lord President.	Lord Windsor.
Marquess of Salisbury.	Sir C. Butt.
Lord Chamberlain.	

WHEREAS Her Majesty the Queen has power and jurisdiction within the Ottoman dominions;

And whereas, by an Order of Her Majesty in Council, dated the 26th October, 1875,* a Table of Fees to be paid in Her Majesty's Consular Courts in the Ottoman dominions was established, and it is expedient to amend the same;

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by "The Foreign Jurisdiction Act, 1890,"† or the Act of the 6th of George IV, cap. 87,‡ or otherwise in her vested, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered as follows:

1. The said Order in Council, dated the 26th October, 1875,* is hereby revoked without prejudice to any right or liability existing at the commencement of this Order.

2. "The Ottoman Order in Council, 1873,"§ and any Orders for the time being in force amending the same, shall have effect as if for the third Schedule to that Order there were substituted the Schedule to this Order.

3. This Order shall commence and have effect on the 1st day of July, 1891, or such later day as one of Her Majesty's Principal Secretaries of State by order under his hand published in the "London Gazette" may direct.

* Vol. LXVI, page 150.

‡ Vol. XII, page 377.

† Vol. LXXXII, page 656.

§ Vol. LXIII, page 59.

And the Lords Commissioners of Her Majesty's Treasury, and the Most Honourable the Marquess of Salisbury, one of Her Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

SCHEDULE.

FEEs.

Service.

£ s. d.

For service of summons, petition, answer, motion-paper, notice, warrant, decree, order, or other document on a party, witness, juror, assessor, or other person under any branch whatever of the civil jurisdiction—

Within one mile (English) of Court	0	2	6
Beyond, for every complete mile	0	1	0

Decision of Questions without formal Suit.

On summons for issue or special case	1	0	0
On issue or special case	0	10	0
On hearing	1	0	0

Summary Procedure for Administration of Property of Deceased Persons.

On summons	1	0	0
On order	1	0	0

Summary Orders before Suit.

On application for order	0	10	0
On recognizance	0	10	0
On order	0	5	0

Bankruptcy and Liquidation by Arrangement or Composition.

On declaration by a debtor of inability to pay his debts	0	5	0
On debtor's summons	0	5	0
On bankruptcy petition	5	0	0
On petition for arrangement or composition	1	0	0
On order for adjudication	1	0	0
On meeting or adjournment of meeting	1	0	0

On special resolution presented to the Registrar for registration	$\left\{ \begin{array}{l} \frac{1}{2} \text{ per cent. on the gross amount of the assets not exceeding a total fee of } 200\text{£.} \end{array} \right.$
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On extraordinary resolution presented to the Registrar for registration	$\left\{ \begin{array}{l} \frac{1}{2} \text{ per cent. on the gross amount of composition not exceeding a total fee of } 200\text{£.} \end{array} \right.$
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	£	s.	d.
On order of discharge	2	0	0
On notice to creditors, each	0	0	3
On preparing advertisement	0	5	0
On execution of warrant	1	0	0
On keeping possession, per diem	0	10	0
On inventory, per diem	1	0	0

Maritime Cases and Vice-Admiralty Causes.

On application for commission of survey	1	0	0
On appointment of commission	1	0	0
To each surveyor—			

(a.) At Constantinople—

For a vessel in the port, extending from the second bridge (immediately below the Arsenal) to Tophané on the one side, and Scraglio Point on the other	1	1	0
For a vessel in the Upper harbour, extending from the second bridge upwards towards Haskioi; or between Tophané and Bujukdéré on the one side, and Kadakioi and Beicos on the other	2	2	0
For a vessel between Bujukdéré on the one side, and Beicos on the other, and the Black Sea entrance of the Bosphorus; or between the Seven Towers and St. Stefano (inclusive), or Kadakioi and Prince's Island (inclusive)	3	3	0
For a vessel beyond these limits	5	5	0
But if the time occupied by the survey of any vessel, in any situation, exceed one day, then	Such sum as the Court directs, not being less than 1 <i>l.</i> 1 <i>s.</i> per diem, nor exceeding 5 <i>l.</i> 5 <i>s.</i> per diem.		

(b.) At a Provincial Consulate—

For a vessel within 2 miles (English) of the Court	1	1	0
For a vessel beyond that distance, and for any vessel occupying more than one day in its survey	Such sum as the Court with the approval of the Supreme Consular Court directs, not being less than 1 <i>l.</i> 1 <i>s.</i> per diem, nor exceeding 5 <i>l.</i> 5 <i>s.</i> per diem.		

For extension of report of survey and copies	1	10	0
On petition for appointment of adjusters	1	0	0
To each adjuster	Such sum as the Court directs not less than 1 <i>l.</i> , and not more than 20 <i>l.</i>		
On extending average bond	The like.		
To agent of owner of cargo	1 per cent. on value of cargo.		

On every notice, motion, application, or demand	0	10	0
On a reference to the Registrar	5	5	0
If the attendance of one or two merchants is required, to each merchant, per diem	7	7	0

£ s. d.

In cases deemed by the Court to be of great intricacy and large amount, in place of the above sums of 5*l.* 5*s.* and 7*l.* 7*s.*—

To the Registrar and to each merchant, per diem	10	10	0
On drawing the report and schedule	1	0	0
If at the hearing the attendance of one or two naval assessors is required, to each assessor, per diem, such sum as the Court directs, not exceeding	5	5	0

Probate and Administration.

On application for probate or administration	1	0	0
On oath for every executor, and administrator, and surety	0	10	0
On every security	1	0	0
On probate or letters of administration with will annexed	The like sum as is for the time being payable in England for stamp duty in like cases, not exceeding a total fee of 10 <i>l.</i>		
On letters of administration without will annexed	The like sum as is for the time being payable in England for stamp duty in like cases, not exceeding a total fee of 15 <i>l.</i>		
Where the Court appoints as administrator an officer of the Court	In addition to the foregoing, 1 per cent. on the value of the estate and effects, not exceeding (with the foregoing) a total fee of 20 <i>l.</i>		
	£	s.	d.
On filing account	0	10	0
On passing account	1	0	0

Ordinary Suits.

In every suit of any kind whatever, other than such as are before specified—

	On Summons or Petition.	On Hearing.
	£ s. d.	£ s. d.
Where amount involved is—		
Under 10 <i>l.</i>	0 2 6	0 2 6
10 <i>l.</i> and under 20 <i>l.</i>	0 2 6	0 5 0
20 <i>l.</i> and under 50 <i>l.</i>	0 7 6	0 10 0
50 <i>l.</i> or upwards	$\frac{1}{2}$ per cent. on amount involved, not exceeding a total fee of 25 <i>l.</i>	
Where judicial relief or assistance is sought, but not the recovery of money	1 0 0	1 0 0

£ s. d.

On every summons, motion, application, or demand, taken out, made, or filed (not particularly charged)	0	5	0
On every rule	0	10	0

	£	s.	d.
On every decree or order (not particularly charged)	0	2	6
On motion for new trial after trial with a jury	1	0	0
On order for adjournment of hearing rendered necessary by default of either party (to be paid by that party)	0	7	6
On every warrant of execution against goods—			
For less than 50 <i>l.</i>	0	5	0
For 50 <i>l.</i> or upwards	1	0	0
For keeping possession, per diem	0	10	0

Appeal to Supreme Consular Court.

On motion for leave to appeal	0	10	0
On every security	0	10	0
On order for leave to appeal	1	0	0

	On Petition or Motion.	On Hearing.
	£ s. d.	£ s. d.
On appeal against adjudication of bankruptcy	5 0 0	2 0 0
On appeal against allowance, suspension, or refusal of order of discharge in bankruptcy	5 0 0	2 0 0
On appeal where judicial relief or assistance is sought, but not the recovery of money	2 0 0	2 0 0
On any appeal other than such as are before specified	½ per cent. on amount involved not exceeding a total fee of 25 <i>l.</i>	

Appeal to Her Majesty in Council.

	£	s.	d.
On motion for leave to appeal	2	0	0
On every security	2	0	0
On order for leave to appeal	5	0	0
On record of appeal (including expense of transmission)	Such sum as the Court directs, not being less than 5 <i>l.</i> , nor exceeding 50 <i>l.</i>		

Miscellaneous.

	£	s.	d.
On taxation of any bill of costs, for every 10 folios, from each party to the taxation	0	5	0
On every deposition taken before trial	0	10	0
On balances of estates of deceased persons paid into Court { 2½ per cent. on otherwise than in a suit } amount.			
On deposit or registration of bill of sale, will, deed of partnership, or other document	1	0	0
On notice of bill of sale filed	1	0	0
For taking inventory, per diem	1	0	0

	£	s.	d.
For protest of a bill of exchange, and copy	1	0	0
For noting a bill of exchange	0	5	0
For copy of such notation	0	2	6
For taking an affidavit	0	5	0
For every exhibit	0	2	6
For drawing a will—			
If not exceeding 200 words	1	0	0
If exceeding that number, for every subsequent 100 words or fraction thereof	0	5	0
For filing any document whatever	0	5	0
For certifying signature or seal	0	5	0
For attendance at a sale—			
At request of parties interested or of local authorities, if absent less than two hours	2	0	0
At request of parties interested, for each additional hour or frac- tion thereof 10s., with a maximum per day of	4	0	0
On reference to the archives	0	2	6
For certified copy of document in the archives—			
For first 100 words	0	2	6
For every further 100 words	0	1	0
For preparing contracts between travellers and Dragomans and other persons	0	10	0
For certified copy of such documents—			
For first 100 words	0	2	6
For every further 100 words	0	1	0
For an official certified translation of any document—			
For first 100 words	0	10	0
For every further 100 words	0	5	0
For communication before two Consular Courts	0	10	0
For communication in writing to a foreign Consulate, or through Dragoman to local Ottoman authority	0	10	0
For application for Vizirial letter	0	10	0
For despatch to accompany same	0	10	0
For attendance of Dragoman or other Consular officer at Ottoman office or Tribunal—			
Where amount involved is—			
Under 250 <i>l.</i>	0	10	0
250 <i>l.</i> and under 500 <i>l.</i>	1	0	0
500 <i>l.</i> and under 1,000 <i>l.</i>	2	0	0
1,000 <i>l.</i> and upwards	<div> <div> <div>1</div> <div>per cent. on amount involved, not ex- ceeding a total fee of 50<i>l.</i></div> </div> <div> <div>Such sum as the Court directs, not exceed- ing 8<i>l.</i> per diem.</div> </div> </div> <div></div>		
For attendance of Dragoman or Interpreter at Con- sular Court, if required by a party in a suit			
	£	s.	d.
On applications not otherwise herein provided for	0	5	0
On communications to local authorities not otherwise herein provided for	0	5	0

Criminal Matters.

	£	s.	d.
On every summons or warrant, unless specially directed by the Court to be issued	0	2	6
On hearing in summary case	0	2	6
On warrant of commitment	0	1	6
On recognizance	0	1	0
For service of notice on each juror or assessor.. .. .	0	2	6
On trial with a juror	0	10	0
On record of sentence on a trial with a jury	0	10	0

BRITISH ORDER IN COUNCIL, modifying certain requirements of the Marriage Acts as regards certain Marriages to be solemnized at St. Petersburg.—Windsor, May 9, 1891.*

At the Court at Windsor, the 9th day of May, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Lord Steward.

Earl of Coventry.

WHEREAS by "The Marriage Act, 1890,"† power is given to Her Majesty the Queen by Order in Council to make regulations, among other matter:

"Modifying in special cases or classes of cases the requirements of the Consular Marriage Acts and this Act as to residence and notice, so far as such modification appears to Her Majesty to be consistent with the observance of due precautions against the solemnization of clandestine marriages;"

And whereas necessity has been shown for modifying the requirements of the Consular Marriage Acts and "The Marriage Act, 1890," as to residence and notice in the cases of certain marriages which are about to be solemnized at St. Petersburg within the house of Her Majesty's Ambassador at that place as defined by "The Foreign Marriages Order in Council, 1890,"‡ one or both of the parties to which marriages respectively are British subjects or a British subject;

And whereas such modifications appear to Her Majesty to be consistent with the observance of due precautions against the solemnization of clandestine marriages;

* "London Gazette," May 12, 1891.

† Vol. LXXXII, page 648.

‡ Vol. LXXXII, page 652.

And whereas the said parties to the said intended marriages have not yet complied, and may be unable wholly to comply, with the requirements of the said Acts as to residence and notice :

Now, therefore, Her Majesty, by and with the advice of her Privy Council, and by virtue of the power vested in Her Majesty by "The Marriage Act, 1890," is pleased to order, and it is hereby ordered, as follows :

The requirements of the Consular Marriage Acts and "The Marriage Act, 1890," as to residence and notice, are hereby modified so that the said requirements shall be dispensed with as regards any parties or party to any marriage which may be celebrated at St. Petersburg as aforesaid between the date of this Order and the 9th August, 1891, to the extent to which such parties or party shall at the date of such marriage have been unable to comply with them.

And the Right Honourable the Marquess of Salisbury, K.G., Her Majesty's Secretary of State for Foreign Affairs, is to give the necessary direction herein.

C. L. PEEL.

BRITISH ORDER IN COUNCIL, respecting the Appointment of Assessors in causes pending before Ottoman Tribunals.—Windsor, November 24, 1891.

At the Court at Windsor, the 24th day of November, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.	Sir James Fergusson, Bart.
Earl of Limerick.	Mr. A. J. Balfour.
Lord Walter Gordon-Lennox.	Sir Charles Pearson.

WHEREAS by Treaty, Capitulation, Grant, usage, sufferance, and other lawful means, Her Majesty has power and jurisdiction within the Ottoman dominions ;

And whereas, by the like means, and by international agreement and usage in causes or matters pending before Ottoman Tribunals in which British subjects are parties, Assessors are or may be appointed, and it is expedient to make provisions for regulating the appointment of such Assessors ;

Now, therefore, Her Majesty, by virtue and in exercise of the

powers in this behalf, by the Foreign Jurisdiction Acts* or otherwise in her vested, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows :

1. This Order shall be construed as one with the Order in Council dated the 12th December, 1873,† relating to the Ottoman dominions, herein referred to as the Principal Order, and may be cited as "The Ottoman Tribunals Order in Council, 1891."

The expression "prescribed" means prescribed by any rules or regulations to be made under the authority of this Order.

2. It shall be lawful for the Consul-General, or other person for the time being acting as the principal Judge of the Supreme Court at Constantinople, from time to time, to make regulations respecting the qualification, selection, appointment, registration attendance, and remuneration of Assessors in cases in which British subjects, or British-protected persons are parties, before any Ottoman Tribunal of Commerce, Ottoman Civil Tribunal, or Ottoman Maritime Court, or other Ottoman Tribunal, and respecting the establishment in any part of the Ottoman dominions, and the regulation of a fund, hereinafter called an Assessors' Fund, for the remuneration of Assessors before any Ottoman Tribunals in such part of the Ottoman dominions.

Such regulations may provide for compelling the service of any qualified person, and may prescribe penalties for neglect or refusal without reasonable excuse to serve in accordance with the terms of such regulations. Such penalties shall not exceed the equivalent of 5*l.* in respect of any one day.

Any such penalties shall be recoverable in the prescribed Court as a civil debt by the prescribed person, and shall be carried to the Assessors' Fund.

Any such regulations shall not have effect until approved by a Secretary of State, and shall from time to time be amended or rescinded as he directs.

3. Subject to, and as prescribed by any such regulations, a fund for the remuneration of the Assessors may be formed as follows:—

(1.) Every person requiring the attendance of one or more Assessors may be required to pay in advance such fee or fees as the regulations direct.

(2.) The prescribed Judge or officer may, out of any moneys in his hands arising from fees of Court or other fees, or moneys received under the principal Order, advance or pay the amount of the salary or remuneration of an Assessor.

* See "Foreign Jurisdiction Act, 1890." Vol. LXXXII, page 656.

† Vol. LXIII, page 59.

(3.) The prescribed Judge or officer shall from time to time account for all receipts and payments in respect of the Assessors' Fund in such a manner as the Secretary of State from time to time directs.

And the Most Honourable the Marquess of Salisbury, K.G., Her Majesty's Principal Secretary of State for Foreign Affairs, is to give the necessary directions herein.

C. L. PEEL.

*REGULATIONS respecting Assessors before Ottoman Tribunals, made pursuant to "The Ottoman Tribunals Order in Council, 1891."**

[Approved by Her Majesty's Secretary of State for Foreign Affairs, December 2, 1891.]

1. In these Regulations the "Judge" means Her Majesty's Consul-General and Judge of the Supreme Court at Constantinople, or the Consul-General or other Consular officer having power to hold a Consular Court in the Ottoman dominions elsewhere than at Constantinople.

"District" means the district for which the Judge holds a Court.

"Month" means calendar month.

2. An Assessor shall be a competent and impartial British subject of good repute, resident in the district of the particular Court, and acquainted with the French or Turkish language.

3. A list of persons qualified as aforesaid shall, from time to time, as may be necessary, be prepared in and for every district by the Judge thereof.

4. The Judge shall, from time to time, as occasion may require, select by lot a sufficient number of the persons included in the said list as the persons liable to serve under these Regulations, and shall give to the selected persons notice in writing of their selection, and may, for cause appearing to him sufficient, excuse any person so selected and select in lieu of such person another person in like manner. The names and addresses of the selected persons shall be kept, in writing, in the order in which their names are drawn, with a statement of the dates at which their names were respectively drawn. A person so selected, and not excused, shall be liable to serve during six months from the time of his selection, and shall

attend the Mixed Courts every day on which British causes are taken during the six months of his tenure of office. A person who has been so selected, and who has been required to serve as an Assessor, shall not, unless with his consent or in case of necessity, be selected again until the expiration of 12 months after the termination of any entire period of six months for which he has been so selected.

A person selected as aforesaid, failing to serve when and as required, and failing to excuse his default on reasonable grounds to the satisfaction of the Judge, shall be liable to a penalty of 3*l.*, at the suit of such officer of the Court or other person as the Judge directs, for every day of such default; but the Judge, in his discretion, may mitigate or remit the penalty.

Any vacancy in the list of selected persons occurring by reason of death, removal, or other cause, may be supplied by the Judge, at his discretion, by lot, from the list of persons qualified to serve.

5. A party to a suit before any Ottoman Tribunal, being a British subject or British-protected person, shall, at the commencement of the said suit pay into the Consular Court of the district in which he is a resident the sum of 4*l.* 4*s.*, but it shall be lawful for the Judge when the claim or counter-claim is for a large amount, or when the case lasts for many sittings, to order such further payment to be made by the said party as shall seem to the Judge just under the circumstances.

6. The fee of an Assessor shall be ordinarily 2*l.* 2*s.* for each day of attendance; but under special circumstances, such as great distance to be travelled or importance or difficulty of the subject-matter, the Judge may, in addition, allow a special additional fee, not exceeding 2*l.* 2*s.* a-day, for one day or any number of days of attendance. If an Assessor attends pursuant to notice, and the case is adjourned without the Assessor having been required to remain in attendance for more than one hour, the fee shall be 1*l.* 1*s.* only; but the Judge may, in his discretion, allow a fee not exceeding 2*l.* 2*s.*

7. The Judge may, in his discretion, on the ground of the poverty of the party or other special grounds, dispense with payment of the whole or any part of the sum required to be paid, or take security for payment thereof. The Assessor is entitled to his fees notwithstanding any such remission.

8. Every Judge (as hereinbefore defined) shall keep a separate account, under the name of the "Assessors' Fund Account," and shall carry to that fund all sums received from applicants for appointment of Assessors and all penalties as above mentioned.

CONVENTION between the Post Office Department of the United States and the Postal Administration of the Bahamas, for the Exchange of Money Orders.—Signed at Nassau, March 28, 1891; and at Washington, April 8, 1891.

THE Post Office Department of the United States of America and the Postal Administration of the Colony of the Bahamas being desirous of establishing a system of exchange of money orders between the two countries, the Undersigned, vested with the requisite authority for the purpose, have agreed upon the following Articles :—

ART. I. There shall be a regular exchange of money orders between the United States and the Bahamas.

The maximum amount of each money order is fixed at 10*l*. when issued in the Bahamas; and when issued in the United States, at 100 dollars in the money of the latter country.

No money order shall include a fractional part of a penny or of a cent.

The amount of each money order must be expressed in letters in the money of the country in which payment is to be made, and the equivalent of the money in the issuing country must also be shown in figures, at the rate of conversion fixed by Article XIII of the present Convention.

II. The Postal Administration of the Bahamas shall have power to fix the rates of commission on all money orders issued in that Colony, and the Post Office Department of the United States shall have the same power in regard to all money orders issued in the latter country.

The Post Office Department of the United States shall communicate, from time to time, to the Postal Administration of the Bahamas its tariff of charges or rates of commission which shall be established under this Convention, and the Postal Administration of the Bahamas shall communicate, from time to time, to the Post Office Department of the United States the tariff of charges or rates of commission which shall be established by the former under this Convention, and these rates shall, in all cases, be payable in advance by the remitters, and shall not be repayable.

It is understood, moreover, that the Postal Administrations of the two countries are each authorized to suspend temporarily the exchange of money orders in case the course of exchange, or any other circumstance, should give rise to abuses or cause detriment to the postal revenue.

III. Each of the two countries included in this Convention shall
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keep the commission charged on all money orders issued within its jurisdiction, but shall pay to the country to which such money orders are sent for payment one-half of 1 per cent. on the amount of such orders.

IV. The service of the postal money-order system between the Post Offices of the United States on the one part and the Post Offices of the Bahamas on the other part shall be performed exclusively by the intermediary agency of Offices of Exchange. On the part of the United States the Office of Exchange shall be New York, New York, and on the part of the Bahamas the Office of Exchange shall be Nassau, New Providence.

Orders shall be drawn only on the authorized money-order offices of the respective countries included in this Convention, and the Post Office Department of the United States shall furnish to the Postal Administration of the Bahamas a list of such Offices of the United States, and shall, from time to time, notify any addition to or change in such list; and the Postal Administration of the Bahamas shall furnish the Post Office Department of the United States with a list of such Offices in the Bahamas, and shall, from time to time, notify any addition to or change in such list.

Every money order and advice must contain the name of the Post Office and of the country of destination, and, if payable in the United States, the name of the State in which such Office is situated.

V. No money order shall be issued unless the applicant furnish the name and address of the person to whom the amount is to be paid, and his own name and address, or unless the name of the firm or Company who are the remitters or the payees is given, together with the address of each.

The money orders issued in either country shall be forwarded by the remitters, at their own expense, to the payees.

VI. The advices of all money orders drawn upon Post Offices in the Bahamas by Post Offices in the United States shall be sent to the Office of Exchange at New York, where they shall be examined and, if found correct, impressed with the dated stamp of that Office and transmitted, by the next mail, to the Exchange Office at Nassau accompanied by a list thereof, in duplicate, which is to be drawn up in conformity with the model of Form (A), hereto annexed.

The advices, on their arrival at Nassau, shall be compared with the entries in the list, and promptly dispatched to the respective paying Offices.

In like manner, the advices of money orders drawn upon Post Offices in the United States by Post Offices in the Bahamas shall be sent to the Office of Exchange at Nassau, shall there be examined

and, if found correct, impressed with the dated stamp of that Office, and be dispatched to the Office of Exchange at New York, by the next mail, accompanied by a list thereof, in duplicate, which is to be drawn up in conformity with the model of Form (B).

The advices on their receipt at New York shall be compared with the entries in the list, and promptly dispatched to the respective paying Offices.

The advices of money orders issued in the United States in the month of December which may arrive at the Office of Exchange at New York in the earlier days of the following month shall be entered on lists supplementary to that of the last day of the month of December, and, in like manner, the advices of money orders issued in the Bahamas in the month of December which may arrive at the Exchange Office at Nassau in the earlier days of the following month shall be entered on lists supplementary to that of the last day of the month of December.

Each Exchange Office shall certify its money orders to the other on the lists, in amounts designated in the denominations of the money both of the dispatching and of the receiving country, at the rate of conversion established by Article XIII of this Convention. The amount so converted shall be checked at the receiving Office of Exchange.

VII. The lists dispatched from each Office of Exchange shall bear consecutive numbers commencing with No. 1 at the beginning of the month of January in each year; and the entries in these lists shall also have consecutive numbers.

Of each list dispatched a duplicate shall be sent, which duplicate, after being verified by the receiving Office of Exchange, shall be returned to the dispatching Office of Exchange.

Each Office of Exchange shall promptly communicate to the other the correction of any simple error which it may discover in the verification of the lists.

When the lists show irregularities which the receiving Exchange Office is not able to rectify, that Office shall apply for an explanation to the dispatching Exchange Office, and such explanation shall be afforded without delay.

Should any list fail to be received in due course, the dispatching Exchange Office, on receipt of information to that effect, shall transmit, without delay, a duplicate of the list, duly certified as such.

VIII. Duplicate money orders shall be issued only by the Postal Administration of the country on which the original orders were drawn, and in conformity with the regulations established or to be established in that country.

IX. Money orders issued in the United States on Post Offices in

the Bahamas, and money orders issued in the Bahamas on Post Offices in the United States, shall be subject, as regards payment, to the regulations which govern the payment of money orders in the country on which they are drawn.

The paid money orders shall remain in the possession of the country of payment.

X. Repayment of money orders to the remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such orders are payable, and the amounts of the repaid money orders shall be duly credited to the former country in the quarterly account (Article XII). It is the province of each Postal Administration to determine the manner in which repayment to remitters is to be made.

XI. Money orders which shall not have been paid within 12 calendar months from the month of their issue shall become void, and the sums received therefor shall accrue to and be at the disposal of the country of origin.

The Postal Administration of the Bahamas shall, therefore, enter to the credit of the United States' Post Office Department, in the quarterly account, all those money orders entered in the lists received from the United States which remain unpaid at the end of the period specified (Article XII).

On the other hand, the Post Office Department of the United States shall, at the close of each month, transmit to the Postal Administration of the Bahamas, for entry in the quarterly account, a detailed statement of all money orders that are included in the lists dispatched from the latter country which under this Article become void.

XII. At the close of each quarter an account shall be prepared by the Postal Administration of the Bahamas showing, in detail, the totals of the lists containing the particulars of money orders issued in both countries during the quarter, and the balance resulting from such transactions.

Three copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance, after proper verification, shall, if due by the United States' Post Office Department, be paid at Nassau, but if due by the Postal Administration of the Bahamas, the balance shall be paid at New York, and in either case in the money of the country to which the payment is made. By mutual agreement, however, between the Post Office Department of the United States and the Postal Administration of the Bahamas, payments of balances may be made in money, or by drafts or bills of exchange on London, or other cities, instead of on Nassau and New York, at the rate of conversion fixed by Article XIII of this Convention.

If, pending the settlement of an account, either the United States' Post Office Department on the one hand, or the Postal Administration of the Bahamas on the other, shall ascertain that the one owes the other a balance exceeding 5,000 dollars, the indebted Administration shall promptly remit an approximate amount of such balance to the credit of the other; but, when the indebtedness is less than 5,000 dollars, nothing herein contained shall prevent the debtor Administration from remitting any part of such indebtedness at discretion.

The quarterly account, and the letters which accompany the remittances of approximate balances, shall be drawn up in accordance with the Forms (C), (D), (E), (F), (G), and (H), annexed to this Convention.

XIII. Until the Postal Administrations of the United States and the Bahamas consent to an alteration, it is agreed that in all matters of account, relative to money orders, which shall result from the execution of the present Convention, the pound sterling of Great Britain shall be considered as equivalent to 4 dol. 87 c. of the money of the United States.

XIV. The Postal Administration in each of the two countries is authorized to adopt any additional rules (if not repugnant to the foregoing) for greater security against fraud, or for the better working of the system generally.

All such additional rules, however, adopted by the Postal Administration of either country, must be promptly communicated to the Postal Administration of the other.

XV. This Convention shall take effect on the 1st day of July, 1891, and shall continue in force until the expiration of a period of one year after the date upon which either of the Contracting Parties shall have notified the other of its intention to terminate the same.

Done in duplicate, and signed in Washington on the 8th day of April, in the year of our Lord 1891; and in Nassau on the 28th day of March, in the year of our Lord 1891.

(L.S.) JOHN WANAMAKER, *Postmaster-General of the United States.*

(L.S.) A. SHEA, *Governor of the Bahamas.*

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CONVENTION between the Post Office Department of the United States and the Colony of Trinidad and Tobago, for the Exchange of Money Orders.—Signed at Port of Spain, September 18, 1891 ; and at Washington, October 23, 1891.

THE Post Office Department of the United States of America and the Governor of the Colony of Trinidad and Tobago, being desirous of establishing a system of exchange of money orders between the two countries, the Undersigned, duly authorized for that purpose, have agreed upon the following Articles:—

ART. I. There shall be a regular exchange of money orders between the United States and the Colony of Trinidad and Tobago.

The maximum amount of each order is fixed at 20*l*. when issued in the Colony of Trinidad and Tobago, and when issued in the United States at 100 dollars in the money of the latter country.

No money order shall include a fractional part of a penny or of a cent.

The amount of each order must be expressed in letters in the money of the country in which the payment is to be made, and the equivalent of this amount in the money of the issuing country must also be shown in figures at the rate of conversion fixed by Article XIII of the present Convention.

II. The Governor of the Executive Council of the Colony of Trinidad and Tobago shall have power to fix the rates of commission on all money orders issued in the said Colony, and the Post Office Department of the United States shall have the same power in regard to all money orders issued in the United States.

The Postal Administration of the United States shall communicate to the Postal Administration of the Colony of Trinidad and Tobago its tariff of charges or rates of commission which shall be established from time to time under this Convention, and the Postal Administration of the Colony of Trinidad and Tobago shall make known to the Postal Administration of the United States the tariff of charges or rates of commission which shall be established in that Colony from time to time under this Convention; and these rates shall in all cases be payable in advance by the remitters and shall not be repayable.

It is understood, moreover, that the Postal Administration of the United States and that of the Colony of Trinidad and Tobago are each authorized to suspend temporarily the exchange of money orders in case the course of exchange or any other circumstance should give rise to abuses or cause detriment to the postal revenue.

III. Each of the two countries shall keep the commission charged on all money orders issued within its jurisdiction, but shall pay to the country to which such money orders are sent one-half of 1 per cent. on the amount of the said orders.

IV. The service of the postal money-order system between the United States on the one part, and the Colony of Trinidad and Tobago on the other part, shall be performed exclusively by the agency of two Offices of Exchange. On the part of the United States the Office of Exchange shall be New York, and on the part of the Colony of Trinidad and Tobago the Office of Exchange shall be Port of Spain.

Orders shall be drawn only on the money-order Offices authorized to transact international money-order business for the two countries, and the Postal Administration of the United States shall furnish to the Postal Administration of the Colony of Trinidad and Tobago a list of such offices in the United States, and shall from time to time give notice of any addition to or change in said list; and the Postal Administration of the Colony of Trinidad and Tobago shall furnish the Postal Administration of the United States with a list of Offices authorized to transact international money-order business for that Colony, and shall from time to time give notice of any addition to or change in such list.

Every order and advice must contain the name of the Office and of the country of destination, and if relating to an order payable in the United States, the name of the State or Territory in which such Office is situated.

V. No money order shall be issued unless the applicant furnish the name and address of the person to whom the amount is to be paid, and his own name and address, or the name of the firm or Company who are the remitters or the payees, together with the addresses of each.

The money orders issued in either the Colony or the United States shall be forwarded by the remitters at their own expense to the payees.

VI. The advices of all money orders issued by Post Offices in the United States for payment in the Colony of Trinidad and Tobago shall be sent to the Office of Exchange at New York, where they shall be examined, and if found correct, impressed with the dated stamp of that Office and transmitted by the next mail to the Exchange Office at Port of Spain, accompanied by a list, in duplicate, drawn upon the model of Form (A).

These advices on their arrival at Port of Spain shall be compared with the entries on the list and afterwards dispatched to the paying Offices.

In like manner the advices of money orders issued by Post

Offices in the Colony of Trinidad and Tobago for payment in the United States shall be sent to the Exchange Office at Port of Spain, where they shall be examined, and, if found correct, impressed with the dated stamp of that Office, and be dispatched, accompanied by a list, in duplicate (Form B), to the Office of Exchange at New York by the next mail.

These advices on their receipt at New York shall be compared with the entries on the list, and afterwards dispatched to the paying Offices.

The advices of orders issued in the United States in the month of September, which may arrive at the Office of Exchange at New York in the earlier days of the following month, shall be entered on lists supplementary to that of the last day of the month of September, and, in like manner, the advices of orders issued in the Colony of Trinidad and Tobago in the month of June, which may arrive at the Exchange Office at Port of Spain in the earlier days of the following month, shall be entered on lists supplementary to that of the last day of the month of June.

Each Exchange Office shall certify its orders to the other on the lists, in amounts designated in the denominations of the money both of the dispatching and of the receiving country at the rate of conversion established by Article XIII of this Convention. The amounts so converted shall be checked at the receiving Office of Exchange.

VII. The lists dispatched from each Office of Exchange shall be numbered consecutively, commencing with No. 1 at the beginning of the month of July in each year; and the entries on these lists shall also have consecutive numbers.

Of each list dispatched a duplicate shall be sent by the following mail, which duplicate, after having been verified by the receiving Office of Exchange, shall be returned to the dispatching Office of Exchange.

Each Office of Exchange shall promptly communicate to the other the correction of any simple error which it may discover in the verification of the lists.

When the lists show irregularities which the receiving Exchange Office is not able to rectify, that Office shall apply for an explanation to the dispatching Exchange Office, and such explanation shall be afforded without delay.

Should any list fail to be received in due course, the dispatching Exchange Office, on receiving information to that effect, shall transmit without delay a triplicate of the list duly certified as such.

VIII. Duplicate orders shall only be issued by the Postal Administration of the country on which the original orders were

drawn, and in conformity with the regulations established, or to be established, in that country.

IX. The orders drawn in the United States on the Colony of Trinidad and Tobago, or in that Colony on the United States, shall be subject, as regards payment, to the regulations which govern the payment of money orders in the country on which they are drawn.

The paid orders shall remain in the possession of the country of payment.

X. Repayment of orders to remitters shall not be made until an authorization for such repayment shall first have been obtained by the country of issue from the country where such orders are payable, and the amounts of the repaid orders shall be duly credited to the former country in the quarterly account (Article XII). It is the province of each Postal Administration to determine the manner in which repayment to remitters is to be made.

XI. Orders which shall not have been paid within 12 calendar months from the date of issue shall become void, and the sums received therefor shall accrue to and be at the disposal of the country of origin.

The Postal Administration of the Colony of Trinidad and Tobago shall, therefore, enter to the credit of the Postal Administration of the United States, in the quarterly account, all money orders entered in the lists received from the United States which remain unpaid at the end of the period specified (Article XII); and shall also transmit at the end of each quarter, to the Postal Administration of the United States, a list on Form (H), showing the particulars of orders of United States' origin which, under the foregoing paragraph, have become void.

On the other hand, the Postal Administration of the United States shall, at the close of each quarter, transmit to the Postal Administration of the Colony of Trinidad and Tobago, for entry in the quarterly account, a detailed statement of all orders included in the lists dispatched from the latter country which, under this Article, become void. For such statement Form (I), hereto annexed, shall be used.

XII. At the close of each quarter an account shall be prepared at the Post Office of Port of Spain, showing in detail the totals of the lists containing the particulars of orders issued in the United States on the one part, and in the Colony of Trinidad and Tobago on the other part, during the quarter, and the balance resulting from such transactions.

Three copies of this account shall be transmitted to the Post Office Department of the United States at Washington, and the balance, after proper verification, shall, if due by the Post Office Department of the United States, be paid at Port of Spain, but

if due by the Postal Administration of the Colony of Trinidad and Tobago, it shall be paid at New York, and in the money of the country to which the payment is made.

Payments may also be made in money, or by drafts, or by bills of exchange on points other than Port of Spain and New York by mutual agreement between the Post Office Department of the United States and the Governor of the Colony in his Executive Council.

If, pending the settlement of an account, either the Postal Administration of the United States on the one part, or the Postal Administration of the Colony of Trinidad and Tobago on the other part, shall ascertain that the one owes the other a balance exceeding 5,000 dollars, the indebted Administration shall promptly remit the approximate amount of such balance to the credit of the other ; but nothing herein contained shall prevent such Administration from remitting a lesser amount than 5,000 dollars at discretion.

This account, and the letters which accompany such intermediate remittances, shall be in accordance with the Forms (C), (D), (E), (F), and (G) annexed to this Convention.

XIII. Until the Postal Administration of the United States and that of the Colony of Trinidad and Tobago shall consent to an alteration, it is agreed that in all matters of account relative to money orders which shall result from the execution of the present Convention, the pound sterling of Great Britain shall be considered as equivalent to 4 dol. 87 c. of the money of the United States.

XIV. The Postal Administration of the United States and that of the Colony shall be authorized to adopt any additional rules (if not repugnant to the foregoing) for greater security against fraud, or for the better working of the system generally. All such additional rules, however, must, if adopted by the United States, be promptly communicated to the Postal Administration of the Colony of Trinidad and Tobago, and, if adopted by the Governor of that Colony in Council, be promptly communicated to the Postal Administration of the United States.

XV. The present Convention shall take effect on the 1st day of January, 1892, and shall continue in force until 12 months after either of the Contracting Parties shall have notified the other of its intention to terminate the same.

Done in duplicate, and signed at Washington on the 23rd day of October, in the year of our Lord 1891 ; and at Port of Spain on the 18th day of September, in the year of our Lord 1891.

(L.S.) JNO. WANAMAKER, *Postmaster-General
of the United States.*

(L.S.) F. NAPIER BROOME, *Governor of the
Colony of Trinidad and Tobago.*

ACT of the British Parliament, to enable Her Majesty, by Order in Council, to make Special Provision for prohibiting the Catching of Seals in Behring Sea by Her Majesty's Subjects during the period named in the Order.

[54 Vict., c. 19.]

[June 11, 1891.]*

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1.) Her Majesty the Queen may, by Order in Council, prohibit the catching of seals by British ships in Behring Sea, or such part thereof as is defined by the said Order, during the period limited by the Order.

(2.) While an Order in Council under this Act is in force—

(a.) A person belonging to a British ship shall not kill, or take, or hunt, or attempt to kill or take, any seal within Behring Sea during the period limited by the Order; and

(b.) A British ship shall not, nor shall any of the equipment or crew thereof, be used or employed in such killing, taking, hunting, or attempt.

(3.) If there is any contravention of this Act, any person committing, procuring, aiding, or abetting such contravention shall be guilty of a misdemeanour within the meaning of "The Merchant Shipping Act, 1854,"† and the ship and her equipment, and everything on board thereof, shall be forfeited to Her Majesty as if an offence had been committed under section 103 of the said Act, and the provisions of sections 103 and 104, and Part X of the said Act (which are set out in the Schedule to this Act) shall apply as if they were herein re-enacted, and in terms made applicable to an offence and forfeiture under this Act.

(4.) Any commissioned officer on full pay in the naval service of Her Majesty shall have power, during the period limited by the Order, to stop and examine any British ship in Behring Sea, and to detain her, or any portion of her equipment, or any of her crew, if in his judgment the ship is being, or is preparing to be, used or employed in contravention of this section.

(5.) If a British ship is found within Behring Sea having on board thereof fishing or shooting implements or seal-skins, or bodies of seals, it shall lie on the owner or master of such ship to prove that the ship was not used or employed in contravention of this Act.

* Repealed by Act 56 & 57 Vict., c. 23.

† Vol. XLV, page 1347.

2.—(1.) Her Majesty the Queen in Council may make, revoke, and alter Orders for the purposes of this Act, and every such Order shall be forthwith laid before both Houses of Parliament and published in the “London Gazette.”

(2.) Any such Order may contain any limitations, conditions, qualifications, and exceptions which appear to Her Majesty in Council expedient for carrying into effect the object of this Act.

3.—(1.) This Act shall apply to the animal known as the fur-seal, and to any marine animal specified in that behalf by an Order in Council under this Act, and the expression “seal” in this Act shall be construed accordingly.

(2.) The expression “Behring Sea” in this Act means the seas known as Behring Sea within the limits described in an Order under this Act.

(3.) The expression “equipment” in this Act includes any boat, tackle, fishing or shooting instruments, and other things belonging to the ship.

(4.) This Act may be cited as “The Seal Fishery (Behring Sea) Act, 1891.”

*ACT of the British Parliament, to amend “The Merchandize Marks Act, 1887.”**

[54 Vict., c. 15.]

[May 11, 1891.]

BE it enacted by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Customs entry relating to imported goods shall, for the purposes of “The Merchandize Marks Act, 1887,” be deemed to be a trade description applied to the goods.

2.—(1.) The Board of Trade may, with the concurrence of the Lord Chancellor, make regulations providing that in cases appearing to the Board to affect the general interests of the country, or of a section of the community, or of a trade, the prosecution of offences under “The Merchandize Marks Act, 1887,” shall be undertaken by the Board of Trade, and prescribing the conditions on which such prosecutions are to be so undertaken. The expenses of prosecutions so undertaken shall be paid out of moneys provided by Parliament.

(2.) All regulations made under this section shall be laid before Parliament within three weeks after they are made if Parliament is

then sitting, and if Parliament is not then sitting, within three weeks after the beginning of the next Session of Parliament, and shall be judicially noticed, and shall have effect as if enacted by this Act, and shall be published under the authority of Her Majesty's Stationery Office.

(3.) Nothing in this Act shall affect the power of any person or authority to undertake prosecutions otherwise than under the said regulations.

3. This Act may be cited as "The Merchandize Marks Act, 1891," and "The Merchandize Marks Act, 1887," and this Act may be cited together as "The Merchandize Marks Acts, 1887 and 1891."

ACT of the British Parliament, to enable Her Majesty in Council to carry into effect Conventions which may be made with Foreign Countries respecting Ships engaged in Postal Service.

[54 & 55 Vict., c. 31.]

[July 21, 1891.]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1.) Where Her Majesty the Queen has made a Convention with a foreign State respecting the postal service between such foreign State and the United Kingdom, or respecting the privileges of mail-ships, that is to say, ships engaged in any postal service of such foreign State or of any part of Her Majesty's dominions, it shall be lawful for Her Majesty in Council to order that this Act shall, and this Act shall accordingly, subject to any conditions, exceptions, and qualifications contained in the Order, apply, during the continuance of the Order, as regards such Convention and foreign State, and the postal service and mail-ships described in the Convention; and where by virtue of any such Order this Act or any section thereof applies as regards any Convention, foreign State, postal service, or mail-ship, the same is in this Act referred to as a Convention, foreign State, postal service, or mail-ship to which this Act or section applies.

(2.) The Order shall recite or embody the terms of the Convention, and may be varied or revoked by Order in Council, but shall not continue in force for any longer period than the Convention.

(3.) Every Order in Council under this Act shall be laid before both Houses of Parliament forthwith after it is made, or, if Parliament be not then sitting, after the then next meeting of Parliament,

and shall also be notified in the "London Gazette," and published under the authority of Her Majesty's Stationery Office.

2.—(1.) Where this section applies to a Convention with a foreign State, the master of a British mail-ship to which this section applies when carrying mails to or from any port of the foreign State, and the master of a mail-ship of the foreign State to which this section applies when carrying mails to or from any port of the United Kingdom, shall not, nor shall any person on board the ship, whether a passenger or belonging to the ship or any other person, convey in the ship for delivery to another person in the foreign State or United Kingdom, as the case may be, any letter other than the letters contained in mail bags intrusted to the master by a postal officer of the United Kingdom or of any foreign State, or than the despatches sent by the Government either of the United Kingdom or of any foreign State.

(2.) If a person on board such ship acts in contravention of this section, or refuses or fails on demand to give up to a postal officer, or, if such person is not the master, to the master, any letters so conveyed by him, he shall be liable, on summary conviction, to a fine not exceeding 5*l*.

(3.) It shall be the duty of the master of the ship to secure the observance of this section by all persons on board the ship, and to inform the proper authorities at the port at which the ship arrives of any breach of this section by any of those persons, and if he wilfully fails to perform that duty he shall be liable to a fine not exceeding 5*l*.

(4.) Provided that a person shall not be liable under this section to a fine for any offence for which he has been punished by the law of the foreign State.

(5.) Nothing in this section shall apply to any letters which, if sent from the United Kingdom, would be exempted from the exclusive privilege of the Postmaster-General under the Act of the Session of the seventh year of King William IV and the first of Her present Majesty, chapter 33, intituled "An Act for the management of the Post Office."

3.—(1.) Where the owner of any ships, British or foreign, applies to the High Court in England, and

(a.) Produces a certificate of a Secretary of State that such owner is subsidized for the execution of any postal service within the meaning of a Convention with a foreign State to which this Act applies, by reason of receiving from the foreign State, or from the Government of the United Kingdom or of a British possession, a *bonâ fide* subsidy for the postal service mentioned in the certificate, and

(b.) Produces sufficient evidence of the nature of the said

service and the number of and the prescribed particulars respecting the ships engaged therein; and

(c.) Gives notice of the application to the Board of Trade, the High Court, after hearing the owner, and the Board of Trade if they wish to be heard, shall fix the nature and amount of the security which the owner ought to place under the control of the Court for the purposes of this Act as respects the ships engaged in that postal service, and fix the maximum number and tonnage of the ships to which the security is to apply.

(2.) The security shall be the bond of the owner guaranteed either—

(a.) By the personal security of a surety, accompanied by an adequate real security given by the surety; or,

(b.) By the payment or transfer into Court of cash, or of securities of the Government of the United Kingdom.

(3.) If the owner gives such security to the satisfaction of the High Court, then so long as the security is maintained and is sufficient to the satisfaction of the Court, and the number and tonnage of the ships for the time being actually engaged in carrying mails for the postal service in respect of which the security is given does not exceed the number and tonnage of the ships to which the security applies, the ships actually engaged in carrying mails for the said service shall be deemed to be exempted mail-ships, and be entitled to the exemptions and privileges given by this Act to exempted mail-ships; and the Board of Trade shall give the prescribed notices for informing the arresting authorities that the ships actually engaged in carrying the mails for the said postal service are exempted mail-ships.

(4.) Notice of every application respecting any security given in pursuance of this section shall be given to the Board of Trade.

(5.) If at any time it appears to the Board of Trade that a security given as respects ships engaged in any postal service is from any cause (whether pending claims, variations of the conditions of the service, or otherwise) insufficient, the Board of Trade shall apply to the High Court, and that Court, if satisfied of such insufficiency, shall require the security to be made sufficient to the satisfaction of the Court within a reasonable time, and direct that in default the ships engaged in the postal service shall cease to be exempted mail-ships, and that the Board of Trade shall give the prescribed notices for informing the arresting authorities of such cesser.

(6.) The amount and nature of the security may be varied, and the whole security may be withdrawn, and the income of the security may be disposed of, by order of the High Court from time to time on such application either of the ship-owners, or of the Board of Trade, or of any person appearing to be interested, and in

such manner, and after such notice, and upon such terms and conditions as may be prescribed by rules of Court, or, so far as the rules do not extend, as the Court may think just.

(7.) Provided that before the security is actually withdrawn the High Court shall be satisfied—

(a.) That the prescribed notice of the order for withdrawal has been given to the arresting authorities; and

(b.) That there is no pending claim for the purposes of which the security may be required;

and upon the prescribed notice of the order for withdrawal being given to an arresting authority, the ships shall, as respects that authority, cease, after the date specified in the notice, to be exempted ships.

(8.) Rules of Court may be made for carrying this section into effect, and in particular for regulating the nature, amount, and value of the security to be given, and the mode of giving security, and of giving notices to the arresting authorities, and for providing for the evidence of the exemption of ships under this section, and for the information to be given from time to time to the High Court respecting the ships to which the security applies, and for the jurisdiction of the High Court under this Act being exercised in Chambers.

4.—(1.) Where this section applies to a Convention with a foreign State, and an exempted mail-ship to which this section applies is in a port in the United Kingdom, no person shall be arrested without warrant on board such ship, and before any process civil or criminal authorizing the arrest of any person who is on board such ship is executed against that person, the following provisions of this section shall be observed, that is to say :—

(a.) Written notice of the intention to arrest a person who is, or is suspected to be, on board the ship, stating the hour at which, if necessary, the ship will be searched, shall, if it is a ship of a foreign State, and there is at the port a Consulate of that State, be left at the Consulate, addressed to the Consular officer;

(b.) It shall be the duty of the master upon demand, if the said person is on board his ship, to enable the proper officer to arrest him;

(c.) If the officer is unable to arrest the said person he may, but if it is a foreign ship only after the expiration of such time after notice was left at the Consulate, as is specified in the Convention, search the ship for such person, and if he is found may arrest him.

(2.) The ship may be delayed for the purposes of this section for the time specified in the Convention, but not for any longer time.

(3.) If the master of a ship refuses to permit a search of the ship in accordance with this section, any officer of Customs may detain the ship, and such master shall be liable to a fine of 500*l*.

(4.) This section shall apply to the arrest of the master in like manner as in the case of any other person.

5.—(1.) An exempted mail-ship, to which this section applies, shall not, subject as in this Act mentioned, be liable to be arrested or detained by any arresting authority either for the purpose of founding jurisdiction in any Court of Admiralty, or of enforcing the payment of any damages, fine, debt, or other claim or sum, or enforcing any forfeiture, whether arising from the misconduct of the master or any of the crew or otherwise, but every Court of the United Kingdom by the process of which the ship could have been, under the circumstances, arrested or detained, shall have the same jurisdiction as if the ship had been so arrested or detained, and any legal proceeding in relation to any such matter as aforesaid may be commenced by such service in the United Kingdom of any writ or process as may be prescribed by rules of Court, and the High Court, on application, shall, in accordance with rules of Court, cause the security to be applied in discharge of any such damages, fine, debt, claim, sum, or forfeiture.

(2.) Provided that nothing in this section shall render invalid the arrest or detention of a ship before the prescribed notice has been given to the arresting authority; but such authority, on proof that the ship is an exempted mail-ship, shall release the ship. Where the Commissioners of Customs, in pursuance of any Act, or as a condition of waiving any forfeiture, require a deposit to be made by any exempted mail-ship to which this section applies, the amount of such deposit shall, on notice from the Commissioners of Customs, and without any further proceeding, be set apart out of the security as money belonging to the said Commissioners, and shall be paid and applied as they direct, and any rules of Court relating to such notice, payment, or application shall be made with the consent of the Treasury.

6.—(1.) Where the Convention with a foreign State provides that any provisions of the Convention similar to those contained in this Act shall in any cases apply to a public ship of a foreign State when employed as a mail-ship, it shall be lawful for Her Majesty the Queen to agree that the like provisions shall apply to a public ship of Her Majesty in the like cases when employed as a mail-ship, and to give effect to such agreement.

(2.) An Order in Council applying this Act as regards a Convention with a foreign State may, if it seems to Her Majesty in Council to be consistent with the Convention so to do, apply this Act as regards a public ship of that foreign State when employed as a mail-ship in the cases authorized by the Convention, and this Act shall apply accordingly, as if such ship were an exempted mail-ship

belonging to a private owner, and any person may be arrested on board such ship accordingly.

7.—(1.) Every fine under this Act, if exceeding 50*l.*, may be recovered by action in the High Court in England or Ireland or in the Court of Session in Scotland, and the Court in which it is recovered may reduce the amount of such fine, and a fine under this Act, not exceeding 50*l.*, may be recovered on summary conviction, provided that every offence for which a fine exceeding 50*l.* can be imposed under this Act may be prosecuted on summary conviction, but the fine imposed on such conviction shall not exceed 50*l.*

(2.) In the case of a summary conviction, any person who thinks himself aggrieved by such conviction may appeal to Quarter Sessions. In Scotland such person may appeal in manner provided by "The Summary Prosecutions Appeals (Scotland) Act, 1875."*

(3.) Service of any summons or other matter in any legal proceeding under this Act shall be good service if made by leaving the summons for the person to be served on board the ship to which he belongs with the person being or appearing to be master of the ship.

(4.) If a fine under this Act imposed on the master of a ship is not paid, and cannot be recovered out of any security given in pursuance of this Act, the Court may, in addition to any other power for enforcing payment of the fine, direct the amount to be levied by distress or poinding and sale of the ship, her tackle, furniture, or apparel. An officer of Customs in detaining a ship or releasing a ship after detention in pursuance of this Act shall act upon such requisition or authority, and under such regulations as the Commissioners of Customs may make with the consent of the Treasury.

8.—(1.) An Order in Council may, for the purpose of a Convention with a foreign State, apply this Act, subject to any exceptions or modifications not inconsistent with the provisions of this Act, to any British possession, and this Act when so applied shall, subject to those exceptions and modifications, and subject as hereinafter mentioned, have effect as if it were re-enacted with the substitution of such British possession for the United Kingdom;

Provided that before it is applied to any British possession named in the Schedule to this Act, the Government of such possession shall have adhered to the Convention.

(2.) Where this Act applies to a British possession, it shall not be necessary for the owner of any mail-ship to give security in any Court in that possession, and the provisions of this Act with respect to the jurisdiction of any Court of the United Kingdom, other than

any jurisdiction relating to the application of the security, shall apply as if a Court in the British possession were substituted for a Court of the United Kingdom.

(3.) It shall be lawful for Her Majesty in Council to make rules for carrying into effect, as respects British possessions, the provisions of this Act with respect to the security given by mail-ships, and in particular with respect to the commencement of a legal proceeding by service of a writ or process in the possession, and to the notices to be given to arresting authorities in the possession, and the evidence to be receivable by such authorities of the security having been given or withdrawn, and the application of the security in discharge of any damages, fine, debt, claim, sum, or forfeiture, where the same are or is recovered or payable either in the British possession, or under proceedings pending concurrently in that British possession and in any other British possession or the United Kingdom.

(4.) If by any law made either before or after the passing of this Act by the Legislature of any British possession provision is made for carrying into effect within such possession any Convention to which this Act applies, Her Majesty in Council may suspend the operation within such possession of this Act or of any part thereof so far as it relates to such Convention, and so long as such law continues in force there, or direct that such law or any part thereof shall have effect in such British possession with or without modifications and alterations as if it were part of this Act.

9. In this Act—

The expression "mail bag" means a mail of letters, or a box, or parcel, or any other envelope in which post letters within the meaning of the Acts relating to the Post Office are conveyed;

The expression "subsidy" includes a payment for the performance of a contract;

The expression "master of a ship" includes any person in charge of a ship, whether commander, mate, or any other person;

The expression "ship of a foreign State" means a ship entitled to sail under the flag of a foreign State;

The expression "arresting authority" means any Court, authority, or officer having power to arrest or detain a ship, or to arrest a person on board a ship, or to order such arrest or detention, or to order the execution of any process, civil or criminal, for the arrest of a person on board any ship;

The expression "postal officer" means any person employed in the business of the Post Office of the United Kingdom or a British possession or foreign State, as the case may be, whether employed by the Postmaster-General, or the chief of the Post Office of the British possession, or the chief of the Post Office of the foreign

State, or by any person under him, or on behalf of any such Post Office.

10. This Act may be cited as "The Mail-ships Act, 1891."

SCHEDULE.

British Possessions to which Act is applicable only upon the Government adhering to Convention.

British India.	Western Australia.
Dominion of Canada.	Queensland,
Newfoundland.	Tasmania.
New South Wales.	New Zealand.
Victoria.	Cape of Good Hope.
South Australia.	Natal.

ACT of the British Parliament, to amend the Law relating to the Salaries and Fees of Consular Officers.

[54 & 55 Vict., c. 36.]

[July 21, 1891.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1.—(1.) There may be granted to a Consular officer, out of money provided by Parliament, such remuneration and allowance for expenses as may from time to time be fixed by a Secretary of State with the approval of the Treasury.

(2.) Such remuneration and allowance shall be received by a Consular officer so long only as he actually discharges the duties of his office: provided that if a Consular officer is absent from his post with the sanction of the Secretary of State, he may receive the whole or such part of the remuneration or allowance accruing during his leave of absence as the Secretary of State with the approval of the Treasury may by regulation direct.

2.—(1.) It shall be lawful for Her Majesty the Queen, by Order in Council, to fix the fees to be taken in respect of any matter or thing done by a Consular officer in the execution of his office, and to vary such fees by way of increase or decrease, and to abolish fees, and to create new fees.

(2.) All such fees shall be levied, accounted for, and applied, and may be remitted, in accordance with regulations issued by the Secretary of State with the approval of the Treasury.

(3.) A Consular officer shall not, save as may be provided by any Order in Council under this Act, ask for or take any fee or reward for or on account of any act, thing, or service done, performed, or

rendered by him in the execution of his office, and if he does, lie shall, without prejudice to any other liability, be liable for each offence to a fine not exceeding 100*l.*, recoverable in the High Court, by information on the part of Her Majesty's Attorney-General.

(4.) Tables of the fees which may, for the time being, be taken under any Order in Council issued in pursuance of this Act shall be published and exhibited in a conspicuous manner for the inspection of all persons at the custom-houses of the United Kingdom; and a printed copy thereof shall be given by every chief officer of customs, at a port of the United Kingdom, gratuitously to every master of a vessel clearing out of that port who requests the same.

(5.) Every Consular officer shall hang up and exhibit in a conspicuous place in his Consular office a copy of the Table of fees to be taken under any Order in Council issued in pursuance of this Act, and shall permit the same to be inspected by any person interested therein.

3. In this Act the expression "Consular officer" includes Consul-General, Consul, Vice-Consul, Consular Agent, Pro-Consul, and any person for the time being authorized to perform the duties of Consul-General, Consul, Vice-Consul, or Consular Agent.

4. The Act mentioned in the Schedule to this Act is hereby repealed to the extent in the third column of that Schedule mentioned.

Provided that any Order in Council issued under any enactment repealed by this Act, and in force at the commencement of this Act, shall continue in force as if it had been issued in pursuance of this Act.

5. This Act may be cited as "The Consular Salaries and Fees Act, 1891."

SCHEDULE.

Act Repealed.

Session and Chapter.	Title.	Extent of Repeal.
6 Geo. IV, c. 87* ..	An Act to regulate the payment of salaries and allowances to British Consuls at foreign ports, and the disbursements at such ports for certain public purposes.	The whole Act so far as unrepealed, except sections 10 to 15, so far as they relate to any church, hospital, chapel, or burial-ground for which, or to the office of any chaplain for whom, provision is being made, at the commencement of this Act, out of money provided by Parliament.

ACT of the British Parliament, to carry into effect an International Declaration respecting the North Sea Fisheries, and to amend the Law relating to Sea Fisheries and Salmon and Freshwater Fisheries.

[54 & 55 Vict., c. 37.]

[July 21, 1891.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.—Belgian Declaration and Sea Fisheries Act, 1883.

1. The Declaration set out in the Schedule to this Act (hereinafter referred to as the Scheduled Declaration) is hereby confirmed, and the Articles thereof shall be of the same force as if they were enacted in the body of this Act.

2.—(1.) Any Commission appointed by the Board of Trade in pursuance of Article 1 of the Scheduled Declaration shall, for the purpose of its duties, have the same powers as an Inspector appointed by the Board of Trade in pursuance of section 14 of "The Merchant Shipping Act, 1854,"* and sections 15 and 16 of that Act shall apply as if the Commission were such an Inspector.

(2.) Any such Commission may take security, in such form as the Board of Trade may by rule prescribe, for the attendance of a witness before a Court of Justice in Belgium, and any sum which may become due in pursuance of such a security may be recovered in like manner as a sum due in pursuance of a security given under "The Summary Jurisdiction Act, 1879."

3. A document purporting to be certified by a Secretary or Assistant Secretary of the Board of Trade to be a report made or certificate given in pursuance of Article 3 of the Scheduled Declaration shall be deemed to be such a report or certificate, and to have been duly forwarded.

4. If, either within or without the exclusive fishery limits of the British Islands, any person belonging to a British sea fishing-boat acts in contravention of Article 4 of the Scheduled Declaration, he shall be liable to the like penalty as for a contravention of Articles XIII to XXII of the First Schedule to "The Sea Fisheries Act, 1883."†

Provided that if the Scheduled Declaration ceases to be binding on Her Majesty, this section shall cease to apply in the case of

* Vol. XLV, page 1347.

† International Convention of May 6, 1882, respecting the North Sea Fisheries. Vol. LXXIII, page 30.

injuries to the gear or boat of a fisherman being a subject of the foreign State party to the Declaration, but shall nevertheless continue to apply as between British subjects.

5. In the event of any contravention of section 7 of "The Sea Fisheries Act, 1883,"* on the part of any foreign sea fishing-boat, or of any person belonging thereto, any fish or fishing gear found in the boat or shown to have been taken or used by any person belonging to the boat within the exclusive fishery limits of the British Islands shall, on conviction for the offence, be liable to be forfeited.

6.—(1.) This Part of this Act shall be construed as one with "The Sea Fisheries Act, 1883," and so far as relates to Scotland and the parts of the sea adjoining Scotland, also as one with "The Sea Fisheries (Scotland) Amendment Act, 1885."

(2.) In particular, the powers of making Orders in Council conferred by sections 3 and 23 of "The Sea Fisheries Act, 1883," may be exercised for the purposes of this Part of this Act, and section 23 of the said Act shall, for the purpose of any such Order, apply as if the Schedule to this Act were the First Schedule to that Act, and the Declaration referred to in this Act were the Convention referred to in that Act.

(3.) "The Sea Fisheries Act, 1883," "The Sea Fisheries (Scotland) Amendment Act, 1885," and this Part of this Act may be cited collectively as "The Sea Fisheries Acts, 1883 to 1891."

(4.) This Part of this Act shall come into force on such day as may be fixed in that behalf by a notice published in the "London Gazette."†

PART II.—*Sea Fisheries Regulation Act, 1888.*

7. The powers of a local Fisheries Committee to make bye-laws in pursuance of section 2 of "The Sea Fisheries Regulation Act, 1888," shall extend to making bye-laws, to be observed within their district, for restricting or prohibiting, either entirely or subject to any exceptions and regulations, the fishing for or taking of all or any specified kinds of sea fish during any period specified in any such bye-law.

8. Where any offence under "The Sea Fisheries Regulation Act, 1888," or under any bye-law made in pursuance thereof, is committed on the sea-coast or at sea beyond the ordinary jurisdiction of a Court of summary jurisdiction and not on or from a ship or boat,

* Vol. LXXIV, page 199.

† A Notification was inserted in the "London Gazette" of September 8, 1891, stating that the day fixed for Part I of the Act to come into force was the 14th day of September, 1891.

it shall be deemed to have been committed within the body of any county abutting on that sea-coast or adjoining that sea, and may be tried and punished accordingly.

9. A local Fisheries Committee appointed in pursuance of "The Sea Fisheries Regulation Act, 1888," may, within their district, enforce the provisions of "The Fisheries (Oyster, Crab, and Lobster) Act, 1877,"* and of any other Act relating to sea fisheries.

10. Any County or Borough Council may, if they think fit, pay or contribute to any expenses incurred by a Board of Salmon Conservators in exercise of their powers under "The Sea Fisheries Regulation Act, 1888."

11. This Part of this Act shall be construed as one with "The Sea Fisheries Regulation Act, 1888," and that Act and this Part of this Act may be cited collectively as "The Sea Fisheries Regulation Acts, 1888 and 1891."

PART III.—*Salmon and Freshwater Fisheries.*

12.—(1.) The Board of Trade may, if they think fit, issue a certificate forming a fishery district for the River Stour (dividing the counties of Suffolk and Essex), its estuary, and its tributaries, and such waters and coasts as may be declared in the certificate to belong thereto, and may thereby fix the number of conservators to be appointed as a Board, and the number of the members of the Board of Conservators to be appointed by each county in the district, and may make such other arrangements as may seem to the Board necessary or proper in connection with the formation of the district.

(2.) On the issue of a certificate under this section the provisions of "The Norfolk and Suffolk Fisheries Act, 1877," and of section 8 of "The Freshwater Fisheries Act, 1884," shall cease to apply within the district formed by the certificate, and the provisions of "The Salmon and Freshwater Fisheries Acts, 1861 to 1886," shall apply therein as if no part of the district were included in the county of Suffolk, and the district so formed shall for all purposes be deemed to be a district formed under the provisions of the said Salmon and Freshwater Fisheries Acts other than "The Norfolk and Suffolk Fisheries Act, 1877."

(3.) On the issue of the certificate, the certificates of the formation of the Stour (Essex) and Stour (Suffolk) fishery districts, dated the 19th day of March, 1888, shall cease to have effect, so, however, that nothing in this section shall affect the validity of anything done or suffered under the certificates, and that all proceedings under the

certificates and pending at the date of the issue of the new certificate may be carried on and completed as if the old certificates were in force.

(4.) Any bye-laws made under "The Salmon and Freshwater Fisheries Acts, 1861 to 1886," or any of them, and in force within the districts or either of them at the date of the new certificate, shall, notwithstanding any limitation of time for the continuance of such bye-law, continue to be in force until repealed by the Board of Conservators of the new district, and the Board may, if it thinks fit, repeal any such bye-laws in manner provided for the repeal of bye-laws made under "The Freshwater Fisheries Act, 1884."

(5.) The persons who are at the date of the issue of the new certificate the members of the Board of Conservators of the Stour (Essex) fishery district shall be the first appointed members representing the county of Essex on the Board of the new district, and shall come into office on the issue of the certificate.

PART IV.—*General.*

13. The powers conferred by "The Sea Fisheries Act, 1883," or this Act, or any other Act relating to sea fisheries, or by any Act relating to salmon and freshwater fisheries, upon any authorities or officers to enforce any such Act shall not be construed as limiting or taking away the power of any other person to take legal proceedings for the enforcement of any such Act or of any bye-law made thereunder.

14. This Act may be cited as "The Fisheries Act, 1891."

SCHEDULE.

Declaration respecting the North Sea Fisheries.—Signed at Brussels, May 2, 1891.

[Here follows the English text of the Declaration between Great Britain and Belgium of May 2, 1891.]

See page 23.

ACT of the British Parliament, to amend "The Commissioners for Oaths Act, 1889."

[34 & 55 Vict., c. 50.]

[August 5, 1891.]

WHEREAS doubts have been entertained whether the powers to administer oaths and take affidavits conferred on a Commissioner for

Oaths by "The Commissioners for Oaths Act, 1889,"* extend to oaths and affidavits required by special provisions to be made before a Justice of the Peace, or any particular person or officer, and it is expedient to remove such doubts :

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1. Where by or under "The Merchant Shipping Acts, 1854 to 1889," or "The Customs Consolidation Act, 1876," or, "The Patents, Designs, and Trade Marks Acts, 1883 to 1888," or "The Pawn-brokers Act, 1872," or Acts amending the same respectively, any oath or affidavit is required to be taken or made before any particular person or officer, whether having special authority or otherwise, and whether at any particular place, or within any specified limits or otherwise, such oath or affidavit may be taken or made before a Commissioner for Oaths, at any place, and shall be as effectual to all intents and purposes as if taken or made before such person or officer, and at any particular place or within specified limits.

2. In section 6 of "The Commissioners for Oaths Act, 1889," after the words "Consular Agent" shall be inserted the words "Acting Consul-General, Acting Vice-Consul, and Acting Consular Agent."

3. This Act shall be read with "The Commissioners for Oaths Act, 1889," and may be cited as "The Commissioners for Oaths Act, 1891," and "The Commissioners for Oaths Act, 1889," and this Act may be cited together as "The Commissioners for Oaths Acts, 1889 and 1891."

*ACT of the British Parliament, to amend and explain the
Foreign Marriage Acts.*

[54 & 55 Vict., c. 74.]

[August 5, 1891.†]

WHEREAS "The Consular Marriage Act, 1849,"‡ and the Acts amending the same were by "The Marriage Act, 1890,"§ extended to marriages in British Embassies and on board Her Majesty's ships and other places, and by "The Marriage Act, 1890," power was given to Her Majesty the Queen in Council to make Regulations for adapting the said Acts to those marriages and for other purposes

* Vol. LXXXI, page 602.

† Repealed by Act 55 & 56 Vict., c. 23, which will be given in Vol. LXXXIV.

‡ Vol. XXXVII, page 150.

§ Vol. LXXXII, page 648.

therein mentioned, and it is expedient to remove various doubts which have arisen respecting the application of the said Acts, and respecting the powers which may be exercised by the said Regulations, in this Act referred to as the "Marriage Regulations," and to make further provision for the said extension :

And whereas it is expedient further to amend the said Acts :

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

This Act may be cited as "The Foreign Marriage Act, 1891."

This Act shall be construed as one with "The Consular Marriage Act, 1849,"* "The Consular Marriage Act, 1868,"† and "The Marriage Act, 1890,"‡ and this Act and those Acts may be cited together as "The Foreign Marriage Acts, 1849 to 1891," and are in this Act referred to as the Foreign Marriage Acts.

2. The period of residence required for a marriage under the Foreign Marriage Acts shall be three weeks, and accordingly in section 2 of "The Consular Marriage Act, 1849," one week shall be substituted for one calendar month.

3. Before any marriage is solemnized under the Foreign Marriage Acts both the parties intending marriage shall appear before the Consul, and each of them shall make oath—

(a.) That he or she believes that there is not any impediment in kindred or alliance, or other lawful hindrance to the marriage; and

(b.) Unless the requirements of the Foreign Marriage Acts as to residence have been dispensed with, that both of the parties have for three weeks immediately preceding had their usual places of abode within the district of the Consul; and

(c.) Where either of the parties, not being a widower or widow, is under the age of 21 years, that the consent of the person or persons whose consent to the marriage is required by law has been obtained thereto, or, as the case may be, that there is no person having authority to give such consent.

4.—(1.) Subject to the Marriage Regulations, a British Consular officer, on being satisfied by personal attendance that a marriage between parties being British subjects, or of whom one is a British subject, has been duly solemnized in a foreign country in accordance with the local law of the country, and on payment of the fee required by law, may register the marriage in accordance with the Marriage Regulations as having been so solemnized, and thereupon the Foreign Marriage Acts shall apply as if the marriage had been

* Vol. XXXVII, page 150.

† Vol. LVIII, page 122.

‡ Vol. LXXXII, page 648.

registered in pursuance of those Acts, except that nothing in this section shall affect the validity of the marriage so solemnized.

(2.) Section 6 of "The Marriage Act, 1890," is hereby repealed.

5.—(1.) The Marriage Regulations may—

(a.) Authorize the officer by or before whom the Regulations determine that marriages in the house of a British Ambassador or Minister, or on board one of Her Majesty's vessels, may be solemnized or registered, to act without any such written authority as is mentioned in "The Consular Marriage Act, 1849"; and so authorize him whether he is described in the Regulations or is named in pursuance thereof;

(b.) Authorize the appointment of a person to act under the Foreign Marriage Acts in the place of any such High Commissioner or resident as is mentioned in "The Marriage Act, 1890;"

(c.) Prescribe the forms to be used in substitution for or in addition to those in the Schedules to "The Consular Marriage Act, 1849;" and

(d.) Make such provision as may seem necessary or proper for carrying into effect the Foreign Marriage Acts, or any Marriage Regulations.

(2.) The Regulations providing for the matters in this section mentioned are included in this Act in the expression "Marriage Regulations," and the Marriage Regulations may be made either generally or with reference to any particular case or class of cases.

(3.) Section 9 of "The Marriage Act, 1890," shall have effect as if in paragraph (d) thereof for the words "by whom" were substituted the words "by or before whom."

6.—(1.) The written authority to solemnize and register marriages given by a Secretary of State in pursuance of section 19 of "The Consular Marriage Act, 1849," and any enactment amending that section, may be addressed to a marriage officer as hereinafter defined by the name of his office, without designating the name of any particular person holding the office, and that authority may be executed by the person who for the time being holds or acts in the office described in the authority, and that person shall be a duly authorized Consul within the meaning of the Foreign Marriage Acts, and the expression "Consul" in those Acts shall, except where such meaning is inconsistent with the context, mean a marriage officer so authorized.

(2.) For the purposes of this Act a marriage officer means any British Ambassador, Minister, or Chargé d'Affaires, any British Consular officer, and any other officer who, in pursuance of the Foreign Marriage Acts or the Marriage Regulations, can be authorized to solemnize and register marriages under the said Acts.

(3.) A Secretary of State may, by writing under his hand, vary

or revoke any authority previously issued under section 19 of "The Consular Marriage Act, 1849," as amended by this section.

7.—(1.) Where a marriage purports to have been solemnized and registered in pursuance of the Foreign Marriage Acts or any of them in the house of a British Ambassador or Minister, or in a British Consulate, or on board any of Her Majesty's vessels, it shall not be necessary in support of the marriage to give any proof of the authority of the marriage officer within the meaning of this Act by or before whom the marriage was solemnized and registered, nor shall any evidence to prove his want of authority, whether by reason of his not being a duly authorized officer or of any prohibitions or restrictions under the Marriage Regulations or otherwise, be given in any legal proceedings touching the validity of the marriage.

(2.) A certificate of a Secretary of State that any house, office, chapel, or other place is or is part of the house of a British Ambassador or Minister, or of a British Consulate, shall be conclusive.

8. A marriage officer shall not be required to solemnize a marriage, or to allow a marriage to be solemnized in his presence, if in his opinion the solemnization thereof would be inconsistent with international law or the comity of nations.

Provided that if any such officer refuses to solemnize or to allow to be solemnized in his presence the marriage of any person requiring the marriage to be solemnized, the person so requiring shall have a right of appeal to the Secretary of State, who shall thereupon either confirm the refusal or direct the solemnization of the marriage.

9. Whereas section 7 of "The Marriage Act, 1890," abolished the distinction between the preliminaries required for marriages by licence and marriages without licence under "The Consular Marriage Act, 1849," and it is accordingly expedient that marriages by licence under that Act be formally abolished; therefore—

A licence for marriage shall not be granted under the Foreign Marriage Acts after the commencement of this Act, and section 6 of "The Consular Marriage Act, 1849," and sub-section 2 of section 7 of "The Marriage Act, 1890," are hereby repealed.

10. Any Marriage Regulations which dispense for any reason, whether residence out of the district or otherwise, with the requirements of the Foreign Marriage Acts as to residence and notice, may require as a condition or consequence of such dispensation, the production of such notice, certificate, or document, and the taking of such oath, and may authorize the publication or grant of such notice, certificate, or document, and the charge of such fees, as may be prescribed by the Marriage Regulations; and sections 15 and 16 of "The Consular Marriage Act, 1849," shall apply as if such

notice, certificate, or document were a notice and such oath were an oath within those sections.

11. In any Act relating to the solemnization of marriages abroad, expressions referring to a British Minister shall be construed to include, and to have always included, a British Chargé d'Affaires, and in this Act the expression "Minister" shall be construed in like manner; and the expression "British Consular officer" shall include a Pro-Consul and an Acting Consular Agent.

12. All marriages solemnized on board one of Her Majesty's vessels on or before the last day of July, 1891, shall be deemed to be as valid as they would have been if "The Marriage Act, 1890," had not passed.

NOTIFICATION of the British Protectorate over Nyasaland.
—London, May 14, 1891.*

Foreign Office, May 14, 1891.

It is hereby notified for public information that, under and by virtue of Agreements with the native Chiefs, and by other lawful means, the territories in Africa, hereinafter referred to as the Nyasaland Districts,† are under the Protectorate of Her Majesty the Queen.

The British Protectorate of the Nyasaland Districts comprises the territories bounded on the east and south by the Portuguese dominions, and to the west by a frontier which, starting on the south from the point where the boundary of the Portuguese dominions is intersected by the boundary of the Conventional Free Trade Zone defined in the 1st Article of the Berlin Act,‡ follows that line northwards to the point where it meets the line of the Geographical Congo Basin, defined in the same Article, and thence follows the latter line to the point where it touches the boundary between the British and German spheres, defined in the second paragraph of the 1st Article of the Agreement of the 1st July, 1890.§

Measures are in course of preparation for the administration of justice and the maintenance of peace and good order in the Nyasaland Districts.

* "London Gazette," May 15, 1891.

† Now officially known as the British Central Africa Protectorate.

‡ Vol. LXXVI, page 4.

§ Vol. LXXXII, page 35.

BRITISH ORDER IN COUNCIL, *carrying into effect the Extradition Treaty between Great Britain and the Orange Free State of June 20 and 25, 1890.*—*Windsor, March 20, 1891.*

At the Court at Windsor, the 20th day of March, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Duke of Rutland.

Lord Chamberlain.

WHEREAS by the Extradition Acts, 1870* and 1873,† it was, amongst other things, enacted that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in, or suspected of being in, the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient; and that if, by any law made after the passing of the Act of 1870 by the Legislature of any British possession, provision is made for carrying into effect, within such possession, the surrender of fugitive criminals who are in, or suspected of being in, such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign State, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign State, and so long as such law continues in force there and no longer:

And whereas by an Act of the Parliament of Canada passed in 1886, and entitled "An Act respecting the Extradition of Fugitive Criminals,"‡ provision is made for carrying into effect within the Dominion the surrender of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the 17th day of November, 1888,§ it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of

* Vol. LX, page 145.

‡ Vol. LXXVII, page 877.

† Vol. LXIII, page 391.

§ Vol. LXXIX, page 831.

the said Act of the Parliament of Canada of 1886 should continue in force and no longer :

And whereas a Treaty was concluded on the 20th and 25th days of June, 1890, between Her Majesty and the President of the Orange Free State for the mutual extradition of fugitive criminals, which Treaty is in the terms following :—

[See Vol. LXXXII, page 29.]

And whereas the ratifications of the said Treaty were exchanged at Bloemfontein on the 16th day of December, 1890 :

Now, therefore, Her Majesty, by and with the advice of her Privy Council, and in virtue of the authority committed to her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 6th day of April, 1891, the said Acts shall apply in the case of the Orange Free State, pursuant to the arrangement made by the said Treaty with the President of the Orange Free State.

Provided always, and it is hereby further ordered that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada, so far as relates to the Orange Free State and to the said Treaty, and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force, and no longer ; and provided also that the operation of the said Extradition Acts, 1870 and 1873, shall not extend to the South African Colonies and possessions of Her Majesty so far as relates to the Orange Free State and to the said Treaty.

C. L. PEEL.

BRITISH ORDER IN COUNCIL, for carrying into effect the Protocol between Great Britain and Uruguay of March 20, 1891, respecting the Provisional Arrest of Fugitive Criminals.—Windsor, November 24, 1891.

At the Court at Windsor, the 24th day of November, 1891.

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.	Sir James Fergusson, Bart.
Earl of Limerick.	Mr. A. J. Balfour.
Lord Walter Gordon-Lennox.	Sir Charles Pearson.

WHEREAS by the Extradition Acts, 1870* and 1873†, it was, amongst other things, enacted that, where an arrangement has been

* Vol. LX, page 145.

† Vol. LXIII, page 391.

made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in, or suspected of being in, the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient; and that if, by any law made after the passing of the Act of 1870 by the Legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in, or suspected of being in, such British possession, Her Majesty may, by the Order in Council applying the said Acts in the case of any foreign State, or by any subsequent Order, suspend the operation within any such British possession of the said Acts, or of any part thereof, so far as it relates to such foreign State, and so long as such law continues in force there and no longer:

And whereas a Treaty was concluded on the 26th day of March, 1884,* between Her Majesty and the President of the Oriental Republic of the Uruguay for the mutual extradition of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the 5th day of March, 1885,† it was directed that the Extradition Acts, 1870 and 1873, should apply in the case of the Oriental Republic of the Uruguay:

And whereas by an Act of the Parliament of Canada passed in 1886,‡ and entitled "An Act respecting the Extradition of Fugitive Criminals," provision is made for carrying into effect within the Dominion the surrender of fugitive criminals:

And whereas by an Order of Her Majesty the Queen in Council, dated the 17th day of November, 1888,§ it was directed that the operation of the Extradition Acts, 1870 and 1873, should be suspended within the Dominion of Canada so long as the provision of the said Act of the Parliament of Canada of 1886 should continue in force and no longer:

And whereas a Protocol was concluded on the 20th day of March, 1891, between Her Majesty and the President of the Oriental Republic of the Uruguay, providing for the extension of the period stipulated in Article IX of the above-mentioned Treaty of the 26th day of March, 1884, which Protocol is in the terms following:—

[See page 22.]

* Vol. LXXV, page 18.

† Vol. LXXVI, page 988.

‡ Vol. LXXVII, page 877.

§ Vol. LXXIX, page 831.

[1890-91. LXXXIII.]

And whereas the ratifications of the said Protocol were exchanged at Monte Video on the 17th day of July, 1891:

Now, therefore, Her Majesty, by and with the advice of her Privy Council, and in virtue of the authority committed to her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 7th day of December, 1891, the said Acts shall apply in the case of the said Protocol of the 20th day of March, 1891, as fully, to all intents and purposes, as in the case of the said recited Treaty of the 26th day of March, 1884:

Provided always, and it is hereby further ordered that the operation of the said Extradition Acts, 1870 and 1873, shall be suspended within the Dominion of Canada so far as relates to the Oriental Republic of the Uruguay and to the said Treaty and Protocol, and so long as the provisions of the Canadian Act aforesaid of 1886 continue in force and no longer.

C. L. PEEL

PROTOCOLE d'un Arrangement entre la Grande-Bretagne et l'Autriche-Hongrie, concernant les Règlements du Conseil Sanitaire, Maritime, et Quarantenaire d'Égypte.—Signé à Londres, le 29 Juillet, 1891.

LE Gouvernement de Sa Majesté la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, Impératrice des Indes, et le Gouvernement de Sa Majesté l'Empereur d'Autriche, Roi de Bohême, et Roi Apostolique de Hongrie, désirant s'entendre sur certaines questions concernant les Règlements du Conseil Sanitaire, Maritime, et Quarantenaire d'Égypte;

Les Soussignés, dûment autorisés à cet effet, sont convenus de ce qui suit:

Considérant que les réformes projetées dans l'Administration du Conseil Quarantenaire et Maritime d'Alexandrie exigeront une augmentation des ressources financières malgré les réductions des dépenses projetées d'environ £ E. 2,000 par an, il est reconnu nécessaire d'adopter une taxe de £ E. 5 pour chaque bâtiment passant le Canal en quarantaine et de £ E. 1 pour chaque paquebot.

Dans le cas d'insuffisance de ces nouvelles ressources financières du Conseil indiquées ci-dessus, on se propose d'augmenter proportionnellement ces taxes. Il est entendu que les bateaux postaux payeront les mêmes droits que les autres.

Les bâtiments Anglais à destination d'un port du Royaume-Uni

infectés ou non seront libres de passer le Canal de Suez en quarantaine, sous les trois conditions suivantes, et sans aucune détention quarantenaire :—

1. L'arraisonnement et l'interrogatoire se feront à Suez de même qu'ils se pratiquent actuellement même vis-à-vis des bâtiments de guerre de Sa Majesté la Reine sous foi de serment délivré par le Commandant.

Cette mesure aurait le but de constater l'état sanitaire du bâtiment.

2. Tout bâtiment infecté ou suspect sera accompagné durant son passage par le Canal par deux Gardiens Sanitaires dignes de confiance, dont la mission principale consisterait à empêcher tout contact entre le bâtiment et les personnes ou objets se trouvant sur les bords du Canal. Un bâtiment infecté ou suspect admis en passage dans les conditions qui précèdent ne pourra ni embarquer ni débarquer des personnes ou des marchandises pendant le trajet. Cette disposition n'implique aucun changement dans la pratique adoptée en cette matière dans les ports de Suez et de Port-Saïd tant qu'elle continuera à fournir les garanties nécessaires de sûreté. Il est cependant reconnu désirable que ces usances soient codifiées lors de la revision des règlements sanitaires nécessitée par la réorganisation projetée du Conseil même.

3. Pour exercer le contrôle voulu afin que tout bâtiment infecté ou suspect prenne effectivement le cours indiqué, c'est-à-dire, au port national et ne puisse avant d'arriver au port de destination Anglais toucher en route des ports appartenant à d'autres Puissances, la sortie et le port de destination de ce bâtiment seront signalés de Suez par voie télégraphique à un des ports de chaque pays de la Méditerranée.

Le télégramme sera expédié par le Conseil Sanitaire, Maritime, d'Alexandrie à l'autorité désignée par chaque Puissance; l'expédition du télégramme sera aux frais du bâtiment, et se fera de la manière la moins coûteuse. Dans le cas des bateaux postaux dont le cours est bien connu, cette précaution ne sera pas exigée, à moins que l'état d'infection actuelle n'ait été constaté.

Il en sera de même pour les bâtiments Anglais à destination étrangère, pourvu que la Puissance étrangère admette en principe, ou par décision spéciale dans chaque cas, les navires transitant le Canal en quarantaine.

Chaque Puissance édictera, dans sa discrétion, des dispositions pénales contre les bâtiments qui, abandonnant le cours indiqué par le capitaine, aborderaient indûment un des ports du territoire de cette Puissance. Seront exceptés les cas de force majeure et de relâche forcée.

Un port sera réputé infecté pendant que le choléra y existe et

pendant les dix jours après la manifestation du dernier cas de choléra.

Un port dans le voisinage duquel le choléra existe sera réputé port suspect.

Les provenances des ports Britanniques ne seront réputées ni infectées ni suspectes après un trajet indemne de dix jours et au delà. Il est toutefois entendu que si un bâtiment arrive à Suez avant que les dix jours d'un trajet indemne ne soient écoulés, il sera tenu d'opérer le passage en quarantaine, mais il lui sera donné libre pratique au premier port auquel il touche après l'expiration de ce délai dans le Canal, soit à Ismailia, soit à Port-Saïd.

Les bâtiments autres que ceux sous pavillon Britannique seront libres ou d'opérer le passage en quarantaine dans les conditions indiquées ci-dessus, ou de se soumettre à la quarantaine réglementaire.

Fait à Londres, le 29 Juillet, 1891.

(L.S.) SALISBURY.

(L.S.) DEYM.

*SWISS NOTIFICATION of the Accession of British North Borneo to the Universal Postal Convention of June 1, 1878.**
—Berne, January 9, 1891.

M. LE MINISTRE,

Berne, le 9 Janvier, 1891.

EN conformité de l'Article XVIII de la Convention Postale Universelle du 1^{er} Juin, 1878, nous avons l'honneur d'informer votre Excellence—

1. Que le Gouvernement du Royaume-Uni de la Grande-Bretagne et de l'Irlande a déclaré, par l'organe de son Ministre à Berne, adhérer à la Convention susmentionnée (et conséquemment aussi à l'Acte Additionnel de Lisbonne du 21 Mars, 1885),† pour l'État de Bornéo du Nord Britannique ;

2. Que nous sommes d'accord avec le Gouvernement Britannique sur les points suivants :—

(a.) L'accession de l'État de Bornéo du Nord Britannique prendra date dès le 1^{er} Février, 1891.

(b.) Les équivalents de taxe seront les suivants :—

Pour 25 centimes	..	6 cents de dollar (valant 25·2 centimes).
Pour 10 centimes	..	3 cents.
Pour 5 centimes	..	1 cent.

* Vol. LXIX, page 210.

† Vol. LXXVI, page 21.

(c.) L'État de Bornéo du Nord Britannique participera aux frais du Bureau International, mais une entente ultérieure est réservée quant à la classe dans laquelle ce pays devra être rangé pour la participation à ces frais.

Nous avons l'honneur de notifier par la présente l'accession de l'État de Bornéo du Nord Britannique à l'Union Postale Universelle, dès la date et aux conditions susmentionnées, et nous saisissons, &c.

Au nom du Conseil Fédéral Suisse,

WELTI, *Président de la Confédération.*

RINGIER, *Chancelier de la Confédération.*

LOI de la Belgique, relative à la Pêche Maritime dans les Eaux Territoriales.— Ostende, le 19 Août, 1891.

LÉOPOLD II, Roi des Belges, à tous présents et à venir, salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit:—

ART. 1^{er}. Conformément aux stipulations des Articles II et III de la Convention Internationale conclue à La Haye le 6 Mai, 1882,* approuvée par la Loi du 6 Janvier, 1884, la pêche, soit qu'elle s'exerce à bord, soit qu'elle ait lieu par embarcation détachée, est désormais interdite à tout bateau étranger, dans le rayon de 3 milles géographiques de 60 au degré de latitude, comptés à partir de la laisse de basse mer, le long de toute l'étendue de la côte Belge.

Sont considérés comme faits de pêche :

- (1.) La capture ou la tentative de capture de tout poisson, mollusque, ou crustacé ;
- (2.) La destruction ou l'enlèvement du frai, du fretin, et du naissain.

Le Roi pourra déroger à cette prohibition par des Conventions Internationales.

2. Un Arrêté Royal réglera les dispositions auxquelles devront se conformer les bateaux de pêche naviguant ou mouillant dans les eaux territoriales.

3. Indépendamment des officiers de police judiciaire chargés de la recherche et de la constatation des délits de droit commun, les Capitaines commissionnés commandant les navires de l'État, les commissaires maritimes et leurs agents, les fonctionnaires et employés de la Douane et des Ponts-et-Chaussées, ainsi que la gendarmerie, rechercheront et constateront par procès-verbaux faisant foi jusqu'à preuve contraire, les infractions aux défenses et stipulations de

* Vol. LXXIII, page 39.

l'Article 1^{er} et de l'Arrêté Royal dont il s'agit à l'Article 2 de la présente Loi.

4. Le bateau surpris en défaut sera conduit dans le port Belge le plus rapproché et remis au commissaire maritime. Dans les ports où il n'existe pas de Commissariat, il sera remis à la Douane ou à l'autorité communale.

Néanmoins le bateau n'y sera pas conduit ou cessera d'y être retenu, moyennant le dépôt, entre les mains soit de l'agent verbalisant, soit de l'autorité à laquelle l'embarcation a été remise, d'un cautionnement de 600 fr. qui sera consigné au bureau de l'enregistrement dans le ressort duquel se trouve le Tribunal compétent.

Le cautionnement sera de 100 fr. seulement, s'il s'agit d'une contravention aux dispositions dont s'occupe l'Article 2.

A défaut de ce versement, le Gouvernement pourra retenir le bateau jusqu'à l'entier paiement de l'amende et des frais, et même en ordonner la vente publique, si le condamné ne s'est complètement libéré endéans les trois mois du jugement définitif.

Le Gouvernement ne sera pas responsable, en cas d'avarie quelconque, de destruction ou de perte de l'embarcation, pendant la mise à la chaîne, sauf en cas de faute prouvée dans le chef des agents de l'État.

5. En cas d'infraction à l'Article 1^{er}, tout produit de pêche trouvé à bord au moment de la constatation sera saisi et vendu publiquement.

Les engins seront également saisis, à moins que le délinquant ne consente à en consigner la valeur comme il est dit ci-dessus, d'après l'estimation de l'agent verbalisant.

Toutefois, il ne pourra être bénéficié de cette faculté en ce qui concerne les engins prohibés en Belgique.

Le prix de la vente du produit de la pêche, ainsi que les engins ou leur valeur, seront restitués si le prévenu est acquitté ou si l'action publique est éteinte par prescription ou autrement.

6. L'infraction à l'Article 1^{er} sera punie par la condamnation du commandant du bateau ou, à son défaut, de celui qui le remplace, à une amende de 26 fr. à 250 fr.

Le Tribunal prononcera, en outre, la confiscation du produit de la vente du poisson saisi et, s'il y a lieu, celle de tout ou partie des engins non prohibés ou de leur valeur. Il ordonnera la destruction des engins prohibés.

L'amende sera de 50 fr. à 500 fr. :—

(1.) Si l'infraction a été commise entre le coucher et le lever du soleil ;

(2.) S'il y a récidive endéans les deux années qui suivent une condamnation ;

(3.) Si le commandant ou, à son défaut, celui qui le remplace, n'a pas obtempéré à l'injonction d'amener son bateau, ou s'il s'est opposé à la saisie des engins ou du produit de la pêche.

7. L'infraction à l'une des dispositions de l'Arrêté prévu à l'Article 2 sera punie d'une amende de simple police, qui sera portée au double dans les cas mentionnés à l'Article précédent.

8. Le Roi déterminera les restrictions et les mesures nécessaires pour empêcher la destruction et l'enlèvement du frai, du fretin, et du unissain par les pêcheurs regnicoles. L'Arrêté fixera les peines, conformément aux dispositions inscrites à l'Article 6.

9. Les infractions aux prescriptions de la présente Loi ou des Arrêtés Royaux pris pour son exécution seront portées devant le Tribunal Correctionnel ou devant le Tribunal de police ayant juridiction sur le port le plus rapproché du lieu de l'infraction, d'après les règles tracées à cet égard par le Code d'Instruction Criminelle.

L'action sera prescrite par le laps de trois mois à compter du jour de l'infraction.

De plus, elle sera éteinte si aucune poursuite n'a été intentée dans le délai d'un mois à compter du même jour.

10. S'il existe des circonstances atténuantes, les peines pourront être réduites conformément à l'Article 85 du Code Pénal.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Ostende, le 19 Août, 1891.

(L.S.) LÉOPOLD.

Par le Roi :

JULES LE JEUNE, *Ministre de la Justice.*

BRITISH NOTIFICATION respecting certain Provisions of the French Nationality Law of June 26, 1889.*—London, May 19, 1891.†

Foreign Office, May 19, 1891.

ATTENTION is hereby called to the following provisions of the French Nationality Law of the 26th June, 1889:—

1. Among the categories of persons defined as French citizens (clause 1, modifying Article 8 of the Code Civil), are :

"Any person born in France of a foreigner, who was also born therein." "Any person born in France of a foreigner, and who, at the time of attaining his majority, is domiciled ('est domicilié') in France, unless during the year following the attainment of his majority

* Vol. LXXXI, page 226.

† "London Gazette," May 19, 1891.

as defined by French law, he has renounced his status as a French citizen and proved that he has retained the nationality of his parents, by means of a certificate in due form from his Government, which shall remain annexed to the declaration, and unless he has further produced, if there is occasion, a certificate, showing that he has obeyed the call to arms according to the military law of his country, without prejudice to the exceptions stipulated in Treaties."

The status of a British subject, born in France, whose father was also born in France, is therefore altered, as under the Law of the 16th December, 1874,* hitherto in force, such persons have been allowed to claim British nationality. This they are unable to do under the new Law.

The status of a British subject born in France, whose father was not born in France, is also altered in this respect, that whereas under the old Law he was not a French citizen, he will become so irrevocably under the new Law, if he fails to make a declaration of alienage in due time.

2. The new Law further provides (clause 1, modifying Article 9 of the Code Civil), that—

"Any person born in France of a foreigner becomes French if having been borne on the recruiting roll he takes part in recruiting operations, without alleging that he is an alien."

3. Another point in the new Law of great importance to some British subjects is contained in that part of clause 1 which modifies Article 13 of the Code Civil:—

"A foreigner who has been authorized by Decree to fix his domicile ('domicile') in France shall enjoy all civil rights there. The effect of the authorization shall cease on the expiration of five years if the foreigner does not demand naturalization, or if such demand be refused."

In the final temporary clause the following passage also occurs:—

"Every admission to domicile obtained antecedently to the present Law becomes null and void unless within a period of five years, reckoned from the promulgation of the Law, it has been followed by a demand for naturalization, or if such demand has been refused."

Under the previously existing Regulations persons who desire to engage in tuition in French schools, or other occupations necessitating a fixed residence in France, are required to obtain the "admission à domicile."

Henceforth under the new Law such persons, if they wish to continue in the exercise of their calling in France will apparently be compelled to apply for French naturalization.

* Vol. LXVI, page 340.

As regards the making of declarations of British nationality for the purpose of escaping conscription, an assurance has been received from the French Government that the previously existing practice will hold good for those British subjects who will still be in a position to make such declarations, viz., those born in France of a father born elsewhere than in France, and such persons should apply to the nearest British Consul.

British subjects born in France of a father also born in France will no longer be able to make these declarations.

The new Law is applicable to children born under the old Law who are still minors, and the position of those persons who, before the passing of the new Law, have made declarations of alienage which, although in conformity of the old Law, are not consistent with the new one, will not be affected, as the new Law will not have the effect of annulling declarations made in proper form before its promulgation.

These changes result from recent alterations in French law, and will seriously affect the position of the persons specified so long as they are in French territory. But, of course, they have no effect whatever upon the position of such persons unless they are in French territory.

BRITISH NOTIFICATION *respecting the coming into force of the French Law of April 2, 1889,* reserving to French Vessels the Navigation between France and Algeria.—*
London, June 18, 1891.†

Foreign Office, June 18, 1891.

INFORMATION received from Her Majesty's Ambassador at Paris shows that the French Law of the 2nd April, 1889, providing that the navigation between France and Algeria shall only be carried on under the French flag, will come into force as regards the ships of all foreign nations on the 1st February, 1892, the date on which the existing Commercial Treaties between France and Belgium and Spain will expire.

* Vol. LXXXI, page 627.

† "London Gazette," June 19, 1891.

ACT of the Government of Newfoundland, intituled "An Act for the purpose of carrying into effect engagements with France respecting Fisheries in Newfoundland."

[No. 16.]

[May 30, 1891.]

WHEREAS by Treaties and Declarations entered into and exchanged between the Kings of Great Britain and France, certain engagements were made and declared relative to Newfoundland and the Islands of St. Pierre and Miquelon, and in relation to the fisheries on a part of the coast of Newfoundland, which Treaties and Declarations are as follows :—

Article XIII of the Treaty of Utrecht (1713), as follows :—

[See Vol. I, page 420.]

Articles V and VI of the Treaty of Paris (1763), as follows :—

[See Vol. I, page 422.]

Articles IV, V, and VI of the Treaty of Versailles (1783), as follows :—

[See Vol. I, page 424.]

The following Declaration made by His Britannic Majesty upon the signing of the Treaty of Versailles :—

[See Vol. I, page 425.]

The following Counter-Declaration of His Most Christian Majesty the King of France, made at the same time :—

[See Vol. I, page 426.]

Articles VIII and XIII of the Treaty of Paris (1814), as follows :—

[See Vol. I, pages 160 and 162.]

Article XI of the Treaty of Paris (1815), as follows :—

[See Vol. III, page 291.]

And whereas differences have arisen between Her Majesty the Queen and the Government of the Republic of France respecting the rights of the citizens of the Republic of France as to the catching and canning of lobsters on the said portion of the coast of Newfoundland, and the erection of factories or buildings for that purpose, and an Agreement has been made between the High Contracting Parties for the submission to arbitration of the said differences, which Agreement is as follows :—

[See page 415]

And whereas the said High Contracting Parties have agreed to extend for the fishery season of 1891 the *modus vivendi* agreed to in 1890, which was as follows :—

[See Vol. LXXXII, page 993.]

Be it therefore enacted by the Governor, Legislative Council, and House of Assembly in Legislative Session convened :

1. In case Her Majesty, her heirs and successors, by advice of her or their Council, shall give orders or instructions to the Governor of Newfoundland, or to any officer or officers on that station, which she or they deem necessary and proper to fulfil the purposes of the said Treaties, Declarations, and Agreements, and to that end shall give orders and instructions to the Governor or officer or officers aforesaid, to remove or cause to be removed any stages, flakes, train fats, or other works whatever, for the purpose of carrying on the fishery erected by Her Majesty's subjects on that part of the coast of Newfoundland which lies between Cape St. John, passing to the north and descending to the western coast of the said island to the place called Cape Raye, and also all ships, vessels, and boats belonging to Her Majesty's subjects which shall be found within the limits aforesaid; and also in case of refusal to depart from within the limits aforesaid, to compel any of Her Majesty's subjects to depart from thence, any law, custom, or usage to the contrary notwithstanding; any acts done by the said Governor, or officer or officers, in pursuance of such orders or instructions as aforesaid shall be lawful, and no action, suit, or other proceeding shall be brought or maintained in respect of the same.

2. In case Her Majesty, her heirs and successors, by advice of her or their Council, shall give orders or instructions to the said Governor, or officer or officers, which she or they deem necessary for the purpose of carrying out or enforcing the said *modus vivendi* during the fishery season of 1891, or any continuation thereof pending the arbitration aforesaid, and for the purpose of giving effect to the decision in said arbitration, any acts done by the said Governor, or officer or officers, in pursuance of such orders or instructions shall be lawful, and no action, suit, or other proceeding shall be maintained in respect of the same.

3. If any person shall refuse, upon requisition made by the said Governor, or officers lawfully acting in pursuance of such orders or instructions as aforesaid, to conform to such requisition and directions as the said Governor or officers shall lawfully make or give for the purpose aforesaid, such person so offending shall forfeit the sum of 200 dollars; provided always that every such suit or prosecution shall be commenced within one year from the commission of such offence.

4. This Act may be cited as "The Newfoundland French Treaties Act," and shall continue in force only until the end of 1893, and no longer.

BRITISH ORDER IN COUNCIL, approving Orders and Instructions to Her Majesty's Naval Officers respecting the Newfoundland Fisheries.—Windsor, June 23, 1891.

At the Court at Windsor, the 23rd day of June, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS there was this day read at the Board a letter from the Right Honourable Lord Knutsford, one of Her Majesty's Principal Secretaries of State, transmitting the draft of Orders and Instructions to the naval officers on the coast of Newfoundland, under the powers vested in Her Majesty by an Act passed by the Legislature of that Colony in 1891, entitled "An Act for the purpose of carrying into effect engagements with France respecting fisheries in Newfoundland:"

Her Majesty, having taken into consideration the said Orders and Instructions (a copy whereof is hereunto annexed), was pleased, by and with the advice of her Privy Council, to approve the same, and to order that they be forthwith carried into effect.

And the Right Honourable Lord Knutsford, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

Orders and Instructions to the Naval Officers on the Coast of Newfoundland given under the Powers vested in Her Majesty by the Newfoundland French Treaties Act passed in 1891 by the Legislature of Newfoundland.

I. The most important duty intrusted to naval officers on the coast of Newfoundland is in relation to the French fishery, and their attention is called to the following Treaties, Conventions, and Acts of Parliament, &c., which bear upon that fishery, viz.:—

1. Article XIII, Treaty of Utrecht, 31st March, 11th April, 1713, in Vol. 1, page 236, "Hertslet's Treaties."*

* Vol. 1, page 420.

2. Article V, Treaty of Paris, 10th February, 1763, in Vol. 1, page 239, "Hertalet's Treaties."*

3. Articles IV and V, Treaty of Versailles, 3rd September, 1783, and the Declarations of the respective Sovereigns of Great Britain and France attached thereto.†

4. Article XIII of the Definitive Treaty of Peace between Great Britain and France, 30th May, 1814, in Vol. 1, page 241, "Hertalet's Treaties."‡

5. The *modus vivendi* agreed to between the British and French Governments for the fishing season of 1890,§ and renewed for the fishing season of 1891.||

6. Laws and Regulations relating to fisheries, cap. 102, "Consolidated Statutes of Newfoundland, 1872,¶ and certain later Colonial Acts which can be obtained from the Colonial Government.

7. The Act passed in 1891 by the Colonial Legislature to secure till the end of 1893 performance of the above Treaties, and of the *modus vivendi*.

II.—When proceeding to St. John's, the senior officer is, unless otherwise ordered, to detach the officer next in seniority to himself, to communicate with the senior officer of the French ships of war employed on the fishery, for the purpose of assuring him that it is the Commander-in-chief's anxious desire to prevent all encroachments on admitted rights, and all collisions between the fishermen of the two nations.

2. The mission of the naval officers, so far as regards the French, is to be confined to ascertaining facts and maintaining good order. They are not to decide any questions which have arisen or may arise between the French officers and themselves respecting the interpretation of the Treaties; and it is desirable that in their intercourse with the French their duties should be carried out in as conciliatory and moderate a manner as possible.

3. In their dealings with British fishermen, as well as with those of other nations, they are to exercise a spirit of forbearance and moderation; bearing in mind that while they are to protect British subjects in the prosecution of their lawful trade, it is equally their duty to prevent those subjects encroaching on the just rights of others.

4. On that portion of the coast of Newfoundland where the French enjoy rights of fishing, secured to them by the Treaty of Utrecht, 1713, and Definitive Treaty and Declarations of 1783,

* Vol. I, page 422.

† Vol. I, page 424.

‡ Vol. I, page 162.

§ Vol. LXXXII, page 993.

|| Page 415.

¶ "Hertalet's Treaties." Vol. 14, page 1229.

notwithstanding whatever doubts or whatever questions may from time to time have arisen as to the exact interpretation to be placed upon those rights; the naval officers will take especial care that the admitted rights of the French shall be maintained, and that British fishermen shall be prevented from interfering in any manner with the free enjoyment by the French fishermen of their rights of fishery.

And to this end in case any British subjects shall fail to comply with the orders of the Commander of one of Her Majesty's ships, given with a view to preventing such interference, such Commander may compel any British subjects so refusing to depart from within the limits aforesaid or from any place within those limits, together with any ship, vessel, or boat belonging to or used by such British subjects, and may take possession of any nets or other gear belonging to or used by such British subjects, and may retain the same for such period as may appear to him to be necessary to insure compliance with his orders.

The said portion of the coast extends from Cape St. John passing to the north and descending by the west coast to Cape Raye, and may for purposes of brevity be described in correspondence as the "Treaty Shore" or "Treaty Coast."

5. The French have no right to fish in or to bar any of the rivers of Newfoundland; but in the event of any Frenchmen being found so engaged, the naval officers are to limit themselves to warning them that their proceedings are illegal, and protesting to the French Naval Commander against the continuance of such practices; at the same time reporting forthwith the circumstances which rendered it necessary for them to take action in the matter.

III. Should the Governor request it, the senior officer may, subject to the approval of the Admiralty, accept commissions of the peace for himself, the officers in command of the ships under his orders, as also for the Senior Lieutenants of the respective ships.

IV. Special care should be taken that any complaint addressed to the Commander of one of Her Majesty's ships, on the part of the officers in command of French cruisers, should be immediately investigated, and the necessary action taken.

It is also desirable that two of Her Majesty's ships should cruise more especially between Canada Bay on the east and Ingornachois Bay on the west, to insure the prompt arrival of British authorities at any given spot where their presence may be required.

V. The French have no right to take bait, except on those parts of the coast where they enjoy rights of fishing, and they should be warned off, when attempting to do so, on any other part of the coast.

VI.—1. All foreigners who exercise the right of fishing in British waters in common with Her Majesty's subjects are bound, in common with them, to obey the law of the country, including such Colonial laws as have been passed to insure the peaceable and profitable enjoyment of the fisheries by all persons entitled thereto.

2. Except in so far as is provided for in these instructions the enforcement of the Colonial laws must be left, as far as the exercise of rights on shore is concerned, to the Colonial authorities, by whom Her Majesty's Government desire they shall be enforced with great forbearance.

The Colonial laws relating to fisheries are to be found in the Consolidated Statutes of Newfoundland, or in the later Acts referred to above.

3. The naval officers are to be very careful to abstain from dealing with cases which involve questions of Treaty rights to a greater extent than may be necessary to maintain order and prevent a breach of the peace, referring such cases at once to the Colonial Government, and to Her Majesty's Government, using their discretion as to sending a duplicate of their official Report direct to the Secretary of the Admiralty in the event of the senior officer not being immediately accessible.

VII.—The naval officers are to give effect to the *modus vivendi* agreed to by the British and French Governments for the season of 1891, and the Commanders of Her Majesty's ships may give such orders and take such measures as they think necessary for that purpose, acting with patience and discretion in dealing with the questions which may arise between British and French subjects. And especially any of the said Commanders may compel any British subject to close any lobster factory which in his opinion is being worked contrary to the *modus vivendi*, and in case of refusal to comply with his orders may compel any British subject so refusing to depart from within the limits aforesaid or from any place therein together with any ship, vessel, or boat belonging to or used by such British subjects.

VIII.—Any interference with British subjects and property by foreign naval officers is illegal; and if, in any case, there should be any such interference, a remonstrance should be addressed to the officer exercising it, and the circumstance be immediately reported to the Commander-in-chief in the fullest manner for the information of Her Majesty's Government.

APPENDIX.

"*Newfoundland French Treaties Act, 1891.*"

[See page 154.]

**BRITISH ORDER IN COUNCIL, prohibiting the Catching of
Seals by British Ships in Behring Sea until the 1st May,
1892.—Windsor, June 23, 1891.***

At the Court at Windsor, the 23rd day of June, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Earl of Limerick.

Marquess of Salisbury.

Lord Arthur Hill.

WHEREAS by "The Seal Fishery (Behring Sea) Act, 1891,"† it is enacted that Her Majesty the Queen may by Order in Council prohibit the catching of seals by British ships in Behring Sea, or such part thereof as is defined by the said Order, during the period limited by the Order :

And whereas the expression "Behring Sea" in the said Act means the seas known as Behring Sea within the limits described in an Order under the said Act :

Now therefore Her Majesty, in virtue of the powers vested in her by the said recited Act, by and with the advice of her Privy Council, is hereby pleased to order, and it is hereby ordered, as follows:—

1. This Order may be cited as "The Seal Fishery (Behring Sea) Order in Council, 1891."

2. From and after the 24th day of June, 1891, until the 1st day of May, 1892, the catching of seals by British ships in Behring Sea as hereinafter defined is hereby prohibited.

3. For the purposes of the said recited Act and of this Order the expression "Behring Sea" means so much of that part of the Pacific Ocean known as Behring Sea as lies between the parallel of 65° 30' north latitude and the chain of the Aleutian Islands, and eastward of the following line of demarcation, that is to say, a line commencing at a point in Behring Straits on the said parallel of 65° 30' north latitude, at its intersection by the meridian which passes midway between the Islands of Krusenstern or Ignalock and the Island of Ratmanoff or Noonarbook; and proceeding thence in a course nearly south-west through Behring Straits and the seas known as Behring Sea, so as to pass midway between the north-west point of the Island of St. Lawrence and the south-east point of

* Supplement to "London Gazette" of June 23, 1891, published June 24, 1891.

† Page 123.

Cape Choukotski to the meridian of 172° west longitude; thence from the intersection of that meridian in a south-westerly direction, so as to pass midway between the Island of Attou and the Copper Island of the Kormandorski couplet or group in the North Pacific Ocean, to the meridian of 193° west longitude.

C. L. PEEL.

*BRITISH ORDER IN COUNCIL, making Regulations in regard to Marriages of British Subjects abroad.—Windsor, November 24, 1891.**

At the Court at Windsor, the 24th day of November, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.	Sir James Fergusson, Bart.
Earl of Limerick.	Mr. A. J. Balfour.
Lord Walter Gordon-Lennox.	Sir Charles Pearson.

WHEREAS by "The Marriage Act, 1890,"† and "The Foreign Marriage Act, 1891,‡ the Consular Marriage Acts are amended, and as amended are made applicable to marriages in the houses of British Ambassadors or Ministers residing within the country to the Government of which they are accredited, or before Governors, High Commissioners, Residents, Commanders of ships, or Consular or other officers authorized in that behalf without or within Her Majesty's dominions, and by the same Acts Her Majesty the Queen is authorized by Order in Council to make Regulations for the purposes therein specified:

And whereas by "The Consular Salaries and Fees Act, 1891,"§ Her Majesty the Queen is authorized by Order in Council to fix the fees to be taken in respect of any matter or thing done by a Consular officer in the execution of his office:

Now, therefore, Her Majesty, by virtue and in exercise of the powers conferred by the said Acts or otherwise enabling her in this behalf, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered as follows:—

1. "The Foreign Marriages Order in Council, 1890," is hereby

* "London Gazette," January 5, 1892. Repealed by Order in Council of October 28, 1892.

† Vol. LXXXII, page 648.

‡ Page 138.

§ Page 132.

[1890-91. LXXXIII.]

repealed, subject to any exceptions and qualifications in this Order mentioned.

Embassy Marriages.

2. The person before and by whom a marriage under the Foreign Marriage Acts may be solemnized and registered in an Embassy house in a foreign country shall either be the Ambassador, or the officer for the time being performing the duties of the Ambassador, or be any of the Secretaries attached to the Embassy from time to time appointed for the purpose in writing by the Ambassador, or by the officer performing his duties; and for the purpose of marriages solemnized in such Embassy house the Foreign Marriage Acts shall be construed as if such Ambassador, officer performing his duties, or Secretary, although holding no written authority from a Secretary of State under section 19 of "The Consular Marriage Act, 1849," were a duly authorized Consul within the meaning of the said Acts.

3. For the purpose of marriages solemnized in pursuance of section 2 of "The Marriage Act, 1890," the house in which a British Ambassador resides in the foreign country to the Government of which he is accredited, or which is occupied by him in that country for the purposes of his Embassy, shall be deemed to be the house of such Ambassador, and is in this Order referred to as the Embassy house, and every place within the precincts or curtilage of any such house, and any church or chapel annexed to such house, or for the time being used with the consent of the Government to which the Ambassador is accredited as the chapel thereof, shall be deemed to form part of the Embassy house.

4. For the purpose of marriages in an Embassy house in a foreign country in pursuance of section 2 of "The Marriage Act, 1890," expressions in the Consular Marriage Acts shall be construed as follows:—

(a.) Expressions referring to the district of a Consul, or the district of a Consulate, shall be construed to refer to such parts of the foreign country as a Secretary of State may by writing under his hand from time to time direct, or, where there is no such direction, as are within 10 miles measured in a straight line on the horizontal plane from the Embassy house;

(b.) The expression "Consulate" shall be construed to refer to the Embassy or to the Embassy house, as the case requires;

(c.) The expression "office of the Consulate" shall be construed to refer to such part of the Embassy house as the Ambassador may from time to time appoint as being sufficiently accessible to the public, and that part may be referred to as the office of the Embassy;

(d.) The expression "Consular seal" shall be construed to refer to the official seal of the Ambassador.

Embassy and Consular Marriages.

5. Where a marriage can be solemnized at a British Consulate in a foreign country, the leave of the Ambassador shall be obtained before the marriage is solemnized in the Embassy house in that country.

6.—(1.) Where a marriage according to the local law of a foreign country is valid by English law, then before a marriage is solemnized in that country under the Foreign Marriage Acts, whether in an Embassy house or at a Consulate, the officer by or before whom the marriage is to be solemnized and registered must be satisfied either—

(a.) That both the parties are British subjects; or

(b.) If only one of the parties is a British subject, that the other is not a subject or citizen of the country; or

(c.) If one of the parties is a British subject and the other a subject or citizen of the country, that sufficient facilities do not exist for the solemnization of the marriage in the foreign country in accordance with the law of that country.

(2.) If a Consul, by reason of anything in this Article, refuses to solemnize or allow to be solemnized in his presence the marriage of any person requiring such marriage to be solemnized, that person shall have the right of appeal to a Secretary of State given by section 7 of "The Consular Marriage Act, 1849."*

7. In the case of any marriage under the Foreign Marriage Acts, if it appears to the officer by or before whom the marriage is to be solemnized and registered that the woman about to be married is a British subject, and that the man is an alien, he must be satisfied that the marriage will be recognized by the law of the foreign country to which the alien belongs.

8. The following modifications of the requirements of the Foreign Marriage Acts as to residence and notice, which appear to Her Majesty to be consistent with the observance of due precautions against the solemnization of clandestine marriages, shall have effect in the following class of cases, that is to say, where one only of the parties has dwelt within the district of the Ambassador or Consul:—

(1.) A marriage may be solemnized under the said Acts in the Embassy house or Consulate of an Ambassador or Consul in whose district one of the parties has dwelt—

* Vol. XXXVII, page 150.

(a.) If the officer by or before whom the marriage is solemnized and registered is satisfied that such notice as is mentioned below in sub-Articles 3 and 4 of this Article has been given of the intended marriage in the place where the other party has dwelt; or

(b.) If a Secretary of State is satisfied that such adequate notice has been given as will prevent the marriage being clandestine, and gives permission for the same to be solemnized.

(2.) In either case the oath, affirmation, or declaration under section 3 of "The Foreign Marriage Act, 1891," shall, in addition to the matters specified in sub-sections (a) and (c) of that section, state that one of the parties has for three weeks immediately preceding had his usual place of abode within the district of the Ambassador or Consul, and further state the place where the party who has not dwelt within that district has within three months immediately preceding had for three consecutive weeks his usual place of abode, and the notice which has been given in that place during those three weeks.

(3.) The notice to be given where the marriage is not solemnized with the permission of a Secretary of State shall, if the party has dwelt in a foreign country, be given, entered, and suspended in the manner and during the period provided by the Foreign Marriage Acts, in like manner as if the marriage were to be solemnized in a Consulate in that country, and the Consul shall, on payment of the proper fee, give a certificate that the notice has been so given and suspended, and that he is unaware of any impediment which should obstruct the solemnization of the marriage.

(4.) If the party dwells in a place in the United Kingdom, the notice shall be given in the like manner and on payment of the like fee as if that party were about to be married in that place, and in England or Ireland shall be given to the Superintendent Registrar or Registrar, and in Scotland shall be given by proclamation of banns; and the Superintendent Registrar or Registrar shall deal with the notice and give a certificate for marriage in like manner and on payment of the like fee as in the case of a marriage in his district; and the session clerk of the parish in which the banns were proclaimed in Scotland shall, in like manner and on payment of the like fee as in the case of a marriage in his district, give a certificate of proclamation of such banns.

Consular Marriages.

9. For the purpose of marriages at a Consulate under the Foreign Marriage Acts, every place within the curtilage or precincts of the house in which the Consul is for the time being resident or of the building which is for the time being used for the purpose of

his office, shall be part of the Consulate, and every place to which the public have ordinary access in the Consulate shall be deemed to be part of the office of such Consulate.

Registration of Marriages by Foreign Law.

10.—(1.) A Consular officer shall not be required to attend at the solemnization of a marriage solemnized in accordance with the local law unless the marriage is solemnized at the place where he is appointed to reside, nor unless the proper fee has been previously paid to him.

(2.) The Consular officer shall forthwith, after the solemnization of the marriage, register the marriage in duplicate in books furnished to him by the Registrar-General through a Secretary of State for the purpose, separate from any register books provided for marriages solemnized by him, and shall register the same in accordance with section 11 of "The Consular Marriage Act, 1849," save that if the person by whom the marriage has been solemnized declines to sign the same, the Consular officer shall enter the name of that person, and the fact that he declines to sign the same.

(3.) The Consular officer shall transmit copies and the certificate and the book when filled, in manner provided by section 12 of "The Consular Marriage Act, 1849."

(4.) Nothing in this Order shall authorize any officer who is not a Consular officer to register a marriage solemnized in accordance with the local law.

(5.) The expression "Consular officer" includes a Consul-General, Consul, Vice-Consul, Pro-Consul, Consular Agent, and any person for the time being authorized to discharge the duties of Consul-General, Consul, Vice-Consul, or Consular Agent.

High Commissioners, &c.

11.—(1.) A Secretary of State by a written authority under section 19 of "The Consular Marriage Act, 1849," may authorize a person to act in the place of a High Commissioner or Resident mentioned in "The Marriage Act, 1890," outside of Her Majesty's dominions.

(2.) If a Secretary of State gives such authority, or in pursuance of section 3 of "The Marriage Act, 1890," authorizes any High Commissioner, Resident, or other officer outside Her Majesty's dominions, not being a Consul as defined by this Order to solemnize and register marriages, then for the purpose of marriages solemnized and registered by or before any High Commissioner, Resident, or

officer, or person so authorized, expressions in the Consular Marriage Acts shall be construed as follows :—

(a.) Expressions referring to the district of a Consul or of a Consulate shall be construed to refer to the district for which such High Commissioner, Resident, or officer, or person is authorized to act for the purpose of the Foreign Marriage Acts ;

(b.) The expression "Consulate" shall be construed to refer either to the office held by him, or, as the case requires, to the building or part of a building or place specified in the document by which he is authorized to act ;

(c.) The expression "office of the Consulate" shall be construed to refer to such portion of a building, part, or place so specified as is ordinarily accessible to the public ;

(d.) The expression "Consular seal" shall be construed to refer to his official seal, or, if he has no official seal, to any seal ordinarily used by him, if the latter seal is authenticated by his signature with the addition of his official name or description.

Her Majesty's Ships.

12.—(1.) Marriages under the Foreign Marriage Acts on board one of Her Majesty's vessels may be solemnized by or before a Commanding Officer of such rank and of such vessel as is for the time being authorized for that purpose by or in pursuance of any Admiralty instructions, and for the purpose of any such marriages the Consular Marriage Acts shall be construed as if a Commanding Officer so authorized, although not having a written authority under section 19 of "The Consular Marriage Act, 1849," were a duly authorized Consul within the meaning of the Consular Marriage Acts, and for the purpose of such marriages expressions in those Acts shall be construed as follows :—

(a.) Expressions referring to the district of a Consul or of a Consulate shall be construed to refer to such parts of the foreign station to which the Commanding Officer is attached as may be specified in that behalf by Admiralty instructions ;

(b.) Expressions referring to the Consulate shall be construed to refer either to the office of the said Commanding Officer or to his vessel, as the case may require ;

(c.) Expressions referring to the office of the Consulate shall be construed to refer to the part of the ship on which public notices are affixed ;

(2.) Expressions referring to the Consular seal shall refer to the seal ordinarily used by the Commanding Officer, if the latter seal is authenticated by his signature with the addition of his official description.

(3.) The Commanding Officer, before he solemnizes a marriage, shall be satisfied that at the port or place where the marriage is solemnized sufficient facilities do not exist for the solemnization of the marriage on land, either in accordance with the local law of the country or in accordance with the Foreign Marriage Acts.

(4.) The requirements of the Foreign Marriage Acts as to residence and notice shall be modified as follows, namely, not less than three weeks' notice of the intended marriage must have been given in such public manner, or to such relatives or friends of the parties, as satisfies the Commanding Officer that as much notice of the intended marriage has been given as would be given if the marriage took place in England, and that the marriage is not clandestine.

13. The forms in the First Schedule to this Order, or forms to the like effect, shall be used in all cases to which they are applicable.

14. The fees which may be taken in respect of matters under the Foreign Marriage Acts shall be those set forth in the Second Schedule to this Order, and no others.

Definitions.

15. In this Order—

The expression "Ambassador" includes Minister and Chargé d'Affaires, and references to the Embassy or Embassy house shall be construed accordingly ;

The expression "Consular Marriage Acts" means "The Consular Marriage Act, 1849,"* and "The Consular Marriage Act, 1868;†

The expression "Foreign Marriage Acts" means "The Consular Marriage Act, 1849,"* "The Consular Marriage Act, 1868,"† "The Marriage Act, 1890,"‡ and "The Foreign Marriage Act, 1891;§

The expression "Consul" as used in Articles 8, 9, and 11 of this Order, includes every officer authorized under section 19 of "The Consular Marriage Act, 1849," as amended by "The Consular Marriage Act, 1868," and "The Foreign Marriage Act, 1891," but not an Ambassador, Governor, High Commissioner, Resident, or person authorized by virtue of "The Marriage Act, 1890."

Other expressions have the same meaning as in the Foreign Marriage Acts.

And the Most Honourable the Marquess of Salisbury, K.G., and the Right Honourable Lord Knutsford, two of Her Majesty's

* Vol. XXXVII, page 150.

‡ Vol. LXXXII, page 648.

† Vol. LVIII, page 122.

§ Page 138.

Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

FIRST SCHEDULE.

FORMS.

Form of Oath.

I, *A. B.*, of _____, make oath and say as follows:—

(1.) A marriage is proposed to be solemnized between me and *C. D.*

(2.) I believe that there is not any impediment in kindred or alliance, or other lawful hindrance, to the above marriage.

(3.) Both I and *C. D.* have for three weeks immediately preceding this date had our usual place of abode within the district of [*here insert the official title of the marriage officer, and in the case of a Consul the place where he is appointed to reside*], that is to say, I at _____, and *C. D.* at _____.

(4.) Neither I nor *C. D.* is under the age of 21 years [*or, as the case may be, I am under the age of 21 years, but I am the widow of _____, who died on the _____ day of _____, 18____*], [*or, I am under the age of 21 years, and the consent of G. H., whose consent is required to my marriage, is given, as shown by the writing under his hand now shown to me, and marked _____*].

Note.—Where the requirements of the Foreign Marriage Acts as to residence have been dispensed with, the form of paragraph 3 of the oath by *A. B.* will be as follows:—

I have for three weeks immediately preceding this date had my usual place of abode within the district of [*here insert the official title of the marriage officer, and in the case of a Consul the place where he is appointed to reside*], namely, at _____, and to the best of my knowledge and belief *C. D.* has within three months immediately preceding this date, namely, for three consecutive weeks from the _____ day of _____ to the _____ day of _____ had his [*or, her*] usual place of abode at _____, and notice of our intended marriage has been given there during those weeks by _____, as appears by the certificate now shown to me and marked _____.

And the form of paragraph 3 of the oath by C. D. will be as follows:—

I have within three months immediately preceding this date, namely, for three consecutive weeks from the _____ day of _____ to the _____ day of _____ had my usual place of abode at _____, and notice of our intended marriage was given there during those weeks by _____, as appears by the certificate now shown to me, and marked _____, and to the best of my knowledge and belief *A. B.* has for three weeks immediately preceding this date had her [*or, his*] usual place of abode within the district of [*here insert the official title of the marriage officer, and in the case of a Consul the place where he is appointed to reside*].

Where the Secretary of State has been satisfied that adequate notice has been given, and gives permission for the solemnization of the marriage, the form

of so much of paragraph 3 of the oath as relates to the notice of the intended marriage will be as follows :—

A notice of our intended marriage has been given by [here state what notice has been given], as appears by the certificate now shown to me and marked _____, and the Secretary of State has been satisfied that such notice is adequate, and has given permission for the marriage to be solemnized.

N.B.—Any person entitled, under 51 & 52 Vict., c. 46 ("The Oaths Act, 1888") or otherwise, to affirm or declare, may make an affirmation or declaration in lieu of an oath.

Form of Certificate.

I, A. B., British Consul [or as the case may be] of _____, hereby certify that on the _____ day of _____, 18____, I received the following notice of marriage [here insert the words of the notice], and that such notice was entered and was suspended in my Consulate in the manner and during the period provided by the Foreign Marriage Acts, 1849 to 1891, as if the marriage was to be solemnized in my Consulate, and that I am not aware of any impediment which would obstruct the solemnization of the above marriage.

SECOND SCHEDULE.

Schedule of Fees.

	£	s.	d.
For receiving notice of an intended marriage	0	10	0
For receiving notice of a caveat	1	0	0
For every marriage solemnized under the Foreign Marriage Acts by an Ambassador, Consul, Governor, High Commissioner, Resident, or other officer, or in his presence, and registered by him.	0	10	0
For certificate by Consul of notice having been given and suspended (Article 8 of this Order)	0	5	0
For attendance by Consul at a marriage solemnized in accordance with the local law, and his registration of the marriage	1	0	0

CONVENTION Douanière et Commerciale entre l'Empire d'Allemagne et l'Autriche-Hongrie.—Signée à Vienne, le 6 Décembre, 1891.

[Ratifications échangées à Vienne, le 30 Janvier, 1892.]

(Traduction.)

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire d'Allemagne, d'une part, et Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie, d'autre part, désireux de rendre plus intimes les relations commerciales entre les deux pays, ont résolu de remplacer le Traité

de Commerce actuellement en vigueur depuis le 23 Mai, 1881,* par une nouvelle Convention Commerciale et Douanière qui puisse créer pour une plus longue durée une base solide facilitant l'échange de produits naturels et industriels entre les deux pays et qui serve en même temps de point de départ pour établir par des Conventions analogues les rapports commerciaux de chacune des Parties avec d'autres États, et ils ont fait ouvrir à cet effet des négociations et nommé pour leurs Plénipotentiaires :

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, l'Aide-de-Camp Général de Sa Majesté et Général de Cavalerie, Henri VII, Prince de Reuss, Ambassadeur Extraordinaire et muni de plein pouvoir auprès de Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie ;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême et Roi Apostolique de Hongrie, le Conseiller Intime Ordinaire de Sa Majesté, Général de Cavalerie, Gustave Comte Kálnoky de Köröspatak, Ministre de la Maison de l'Empereur et des Affaires Étrangères ;

Qui ont conclu la Convention Commerciale et Douanière dont suit la teneur, sous réserve de la ratification de part et d'autre :—

ART. I.† Les Parties Contractantes s'engagent à n'entraver les relations entre leurs États par aucune prohibition d'entrée, de sortie, et de transit.

Il ne pourra y avoir d'exception à ce principe que pour les objets ci-après :—

(a.) Tabac, sel, poudre à tirer et autres matières explosibles, ainsi que d'autres articles qui sont l'objet d'un monopole d'État sur le territoire d'une des Parties Contractantes.

(b.) Objets auxquels s'appliquent des considérations d'hygiène publique.

(c.) Provisions de guerre, dans des circonstances exceptionnelles.

II. En ce qui touche le taux, le contrôle, et la perception des droits d'entrée, de sortie, et de transit, aucune des deux Parties ne pourra traiter un État tiers plus favorablement que l'autre Partie Contractante. En conséquence toute faveur accordée à des tiers, à cet égard, sera, immédiatement et sans compensation, étendue à l'autre Partie Contractante.

Sont exceptées :

1. Les faveurs accordées par l'une des Parties Contractantes à un État voisin, dans le but de faciliter le trafic sur certaines parties des frontières et pour les habitants de certaines parties du territoire ;

* Vol. LXXV, page 859.

† See Protocol, page 235.

2. Les faveurs déjà concédées ou qui pourront être concédées ultérieurement par une des Parties Contractantes en conséquence d'une Union Douanière.

III.* Il a été décidé entre les Parties Contractantes que les objets de provenance Allemande mentionnés dans l'Annexe (A), et les objets de provenance Autrichienne mentionnés dans l'Annexe (B), qui, en sortant du libre trafic sur le territoire de l'une des Parties, seront importés sur le territoire de l'autre, ne devront pas acquitter d'autres droits, et spécialement pas de droits plus élevés, que ceux mentionnés aux dites Annexes.

Lorsqu'une Partie Contractante voudra, dans l'intérieur de son territoire, frapper d'un nouvel impôt ou d'un impôt plus élevé un objet de production ou de fabrication nationale, mentionné dans l'Annexe (A) ou (B) du présent Traité, elle pourra frapper d'un droit égal ou correspondant l'objet similaire à son importation.

IV. Il ne sera point perçu de droit de transit sur les marchandises traversant le territoire de l'une des Parties Contractantes provenant ou à destination du territoire de l'autre Partie.

Cette disposition s'applique tant aux marchandises qui auront été transbordées ou emmagasinées qu'à celles qui transiteront directement.

V.* Dans le but de faciliter encore les relations entre les deux territoires, et en tant que l'identité des marchandises exportées et réimportées sera hors de doute, les deux Parties exemptent des droits d'entrée et de sortie les marchandises ci-après :—

(a.) Marchandises autres que les articles de consommation qui, en sortant du libre trafic, sur les territoires d'une des Parties Contractantes, seront expédiées sur les foires et marchés de l'autre, ou qui seront expédiées pour une vente éventuelle, en dehors des foires et marchés, ainsi que les échantillons apportés par les voyageurs de commerce, lorsque ces objets invendus auront été réexportés dans un délai à déterminer d'avance ;

(b.) Bétail conduit aux marchés de l'autre État et ramené invendu.

VI.* En vue de faciliter le trafic réciproque dans les districts frontières, les Parties Contractantes ont arrêté les dispositions spéciales indiquées dans l'Annexe (C).

VII.* En ce qui concerne l'expédition en douane des marchandises soumises à l'obligation des permis de circulation, les facilités réciproquement accordées consisteront en ce que, au moment du passage immédiat de ces marchandises du territoire de l'un des États sur celui de l'autre, il ne sera pas procédé à l'enlèvement des plombs, ni à l'apposition de plombs nouveaux, ni au déballage des marchandises, s'il a été satisfait aux prescriptions convenues.

* See Protocol, page 235.

VIII.* Les Parties Contractantes s'entendront en outre pour établir, en tant que les circonstances le permettront, leurs bureaux de frontières réciproques, dans la même localité, de manière que les opérations en douane, au passage des marchandises d'un territoire douanier dans l'autre, puissent avoir lieu simultanément.

IX. Les taxes intérieures, qui, sur le territoire de l'une des Parties Contractantes, atteignent actuellement ou pourront atteindre au profit, soit des communes et corporations, la production, la préparation, ou la consommation d'un objet, ne peuvent, sous aucun prétexte, frapper les produits de l'autre Partie Contractante plus fortement ou d'une manière plus onéreuse que les produits similaires du pays même.

X.* Les Parties Contractantes s'obligent en outre à concourir par des moyens convenables à empêcher et à punir la contrebande de commerce vers leurs territoires, à maintenir en vigueur les lois pénales édictées dans ce but, à prêter l'appui légal aux agents de l'autre État à l'effet de leur permettre de poursuivre les délinquants sur leur territoire et à leur procurer les renseignements et l'aide nécessaires par les employés des Contributions, des Douanes, et de la Police, ainsi qu'il est prescrit par les autorités locales.

L'Annexe (D) contient le cartel des Douanes conclu conformément à ces dispositions générales.

Sont maintenues en vigueur les mesures convenues dans le but de se prêter un appui réciproque pour la surveillance des eaux limitrophes et des frontières où le territoire des Parties Contractantes est contigu à celui d'États étrangers.

XI.* Chacune des deux Parties Contractantes admettra les navires marchands de mer de l'autre Partie et les cargaisons des dits navires aux mêmes conditions et sous les mêmes droits que ses propres navires.

Il en sera de même quant au cabotage. La nationalité des navires de chaque Partie Contractante sera constatée d'après la législation du pays auquel ils appartiennent.

Les certificats de jauge des vaisseaux des deux Parties serviront de preuve du tonnage de ces navires, en raison des Conventions spéciales conclues entre les Parties Contractantes.

XII. Il ne sera perçu aucun droit de navigation ou de port sur les navires de l'une des Parties Contractantes qui, par suite d'accidents ou par force majeure, entrent dans les ports de mer de l'autre Partie, pourvu qu'ils n'y restent que le temps nécessaire ou n'y s'y livrent pas à des opérations de commerce.

Les marchandises avariées et les épaves, chargées sur les navires d'une des Parties Contractantes, ne seront assujetties par l'autre à u

* See Protocol, page 235.

droit quelconque, sauf les frais éventuels de sauvetage, que si elles entrent en consommation.

XIII. Les patrons de navires et les embarcations appartenant à l'une des Parties Contractantes seront admis à naviguer sur toutes les voies navigables, naturelles et artificielles, se trouvant sur les territoires des Parties Contractantes, aux mêmes conditions et en acquittant les mêmes droits, sur les bâtiments et la cargaison, que les patrons et les embarcations appartenant à ce territoire.

XIV. Les sujets de l'une des Parties Contractantes pourront faire usage, aux mêmes conditions et sous les mêmes redevances que les nationaux, des chaussées et autres routes, canaux, écluses, bacs, ponts et ponts tournants, ports et débarcadères, signaux et feux servant à désigner les eaux navigables, pilotage, grues et balances, entrepôts et établissements pour le sauvetage et la conservation des cargaisons, en tant que ces établissements sont destinés à l'usage public, qu'ils soient administrés par l'État ou par des particuliers.

Aucune redevance ne sera perçue que pour usage effectif de ces établissements et institutions, sous réserve des dispositions contraires concernant les phares et le pilotage.

Sur les routes servant à mettre en communication les Parties Contractantes entre elles ou avec l'étranger, les droits de péage perçus sur les transports qui passent la frontière ne pourront être, eu égard à la distance parcourue, plus élevés que ceux qui sont perçus sur les transports se faisant dans les limites du territoire du pays.

XV.* En ce qui concerne les chemins de fer, il ne sera fait, tant au point de vue des frais de transport que des délais et des modes d'expédition, aucune distinction entre les habitants des territoires des Parties Contractantes. Notamment, les transports effectués du territoire de l'une sur le territoire de l'autre Partie Contractante ou qui traversent en transit le territoire de cette dernière ne seront pas traités, en ce qui concerne l'expédition et le prix de transport, plus défavorablement que les transports partant de ce territoire ou s'effectuant dans son intérieur.

Pour le transport des personnes et des marchandises qui s'effectue sur le territoire d'une des Parties Contractantes entre des stations situées dans le dit territoire, au moyen d'une ligne continue de chemin de fer, les tarifs doivent être établis dans la monnaie légale du dit territoire, lors même que la ligne employée pour le transport dont il s'agit serait exploitée, en tout ou en partie, par une Compagnie ayant son siège sur le territoire de l'autre Partie.

Sur les points de raccordement, et s'il s'agit seulement d'un trafic entre deux stations situées des deux côtés de la frontière et dans son voisinage, on ne pourra, pour l'acquittement des taxes afférentes

* See Protocol, page 235.

au transport des personnes et des marchandises, refuser les modes de paiement en rapport avec les cours qu'admettent les lois du pays où se trouve le bureau de perception, même quand le tarif ne s'expliquerait point sur la monnaie à employer dans le dit bureau.

L'acceptation de ces modes de paiement ne doit influencer en aucune manière sur les arrangements des Compagnies entre elles, lors du règlement de leurs comptes.

XVI.* Les Parties Contractantes s'appliqueront à faciliter, autant que possible, le trafic réciproque sur les chemins de fer de leurs territoires, par l'établissement de voies directes de communication entre les lignes aboutissant au même lieu et d'une ligne à l'autre.

Les Parties Contractantes s'engagent à faire tous leurs efforts pour que les Administrations de Chemins de Fer de leurs territoires respectifs établissent, aussitôt que les deux Parties le jugeront utile, et dans la mesure où elles l'indiqueront, des expéditions et des tarifs directs pour le transport des personnes et des marchandises.

En ce qui concerne le trafic direct, l'établissement de dispositions uniformes pour le transport, notamment en ce qui touche les délais de livraison, est réservé à une entente directe entre les autorités supérieures chargées de la surveillance des chemins de fer, dans chacun des deux pays.

XVII. Les Parties Contractantes s'engagent à garantir de tout trouble et de tout obstacle le trafic par chemins de fer entre leurs territoires respectifs.

XVIII.* Les Parties Contractantes exempteront de la déclaration, déchargement, et de la revision à la frontière, ainsi que du plombage, aux points frontières où se trouvent des jonctions directes des voies ferrées et où a lieu le passage des wagons, toutes les marchandises qui arriveraient en wagons propres à être plombés conformément aux règlements, et qui seraient destinées à être conduites dans ces mêmes wagons à un endroit de l'intérieur du pays où se trouve un bureau de Douane ou un bureau des Contributions autorisé au traitement des expéditions, pourvu toutefois que ces marchandises soient déclarées, à l'entrée, par des listes de chargement et par des lettres de voiture.

Les marchandises qui, sans être déchargées, passent en transit dans des wagons propres à être plombés selon les règlements, sur le territoire d'une des deux Parties Contractantes, en venant du territoire de l'autre ou y étant destinées, seront exemptées de la déclaration, du déchargement, de la revision, et du plombage, tant à l'intérieur qu'aux frontières, pourvu qu'elles soient déclarées au transit, par les listes de chargement et par des lettres de voiture.

* See Protocol, page 235.

L'application de ces dispositions est cependant subordonnée à la condition que les Administrations de Chemins de Fer respectifs soient responsables de ce que les wagons arrivent au bureau d'expédition situé à l'intérieur du pays, ou à celui de sortie, en temps opportun et avec les scellés intacts.

Toutes facilités plus grandes que celles précédemment dénommées, qui viendraient à être accordées par l'une des deux Parties Contractantes à des États tiers, quant à l'expédition douanière, seront appliquées au commerce de l'autre Partie Contractante, pourvu que celle-ci accorde la réciprocité.

XIX.* Les sujets des Parties Contractantes seront réciproquement mis sur le pied de complète égalité avec les regnicoles en ce qui concerne leur établissement, l'exercice de leur industrie ou de leur commerce et le paiement des impôts y afférents. Pour la fréquentation des marchés et des foires, les sujets de l'autre État seront traités comme les nationaux.

Les dispositions ci-dessus ne sont pas applicables à l'industrie des pharmaciens, à l'exercice du courtage ni à celui d'une industrie qu'on fait en voyageant, y compris le colportage.

Les commerçants, fabricants, et autres industriels faisant personnellement ou par l'entremise de voyageurs à leur service des achats, ou cherchant des commandes en transportant simplement avec eux des échantillons, n'auront, à ce titre, aucun droit à payer dans l'autre État s'ils prouvent qu'ils ont acquitté dans l'État où ils ont leur domicile les taxes légales établies pour l'exercice de leur commerce.

Les sujets de l'une des Parties Contractantes, faisant un service de roulage ou de navigation par mer ou par fleuves entre les points de différents États ne pourront être soumis, pour l'exercice de cette industrie, à aucune taxe sur le territoire de l'autre Partie.

Les Sociétés par actions, les Sociétés en commandite par actions et les Sociétés d'assurances de toute sorte, légalement établies sur le territoire de l'une des Parties Contractantes, seront, sur le territoire de l'autre Partie, admises à exercer leur industrie et à poursuivre leurs droits devant les Tribunaux, conformément aux lois et aux règlements du pays.

XX.* Les Parties Contractantes se concèdent réciproquement le droit de nommer des Consuls dans tous les ports et places de commerce de l'autre Partie Contractante, dans lequel seraient admis les Consuls d'un État tiers quelconque.

Les Consuls d'une des Parties Contractantes jouiront, sous condition de réciprocité, sur le territoire de l'autre Partie, des mêmes prérogatives, attributions, et franchises que celles dont

* See Protocol, page 235.

jouiront ou jouiraient dans l'avenir les Consuls d'un État tiers quelconque.

XXI.* Chacune des Parties Contractantes obligera ses Consuls à l'étranger à accorder aux sujets de l'autre Partie, dans les lieux où celle-ci n'est pas représentée par un Consul, la même protection et la même assistance qu'à ses nationaux, sans exiger des droits plus élevés.

XXII.* Les Parties Contractantes se reconnaissent réciproquement le droit d'envoyer près de leurs bureaux de Douane respectifs des fonctionnaires chargés de prendre connaissance de tout ce qui concerne l'Administration Douanière et la surveillance des frontières, mission pour l'accomplissement de laquelle il leur sera fourni toute facilité.

Les Parties Contractantes devront se fournir mutuellement toutes les informations désirables sur la comptabilité et la statistique des deux territoires douaniers.

XXIII. Le présent Traité s'étend également aux pays ou parties de pays qui sont actuellement ou qui pourront être en union douanière avec les territoires des Parties Contractantes.

XXIV. Le présent Traité devra entrer en vigueur à la place du Traité actuel le 1^{er} Février, 1892, en même temps que la Convention relative aux épizooties, conclue ce même jour, et durera jusqu'au 31 Décembre, 1903. Au cas où aucune des Parties Contractantes ne manifesterait l'intention, douze mois avant l'époque désignée, de dénoncer le Traité, ce dernier reste en vigueur encore pendant un an à partir du jour où l'une ou l'autre des Parties Contractantes l'aura dénoncé.

XXV.* Les ratifications du présent Traité devront être échangées dans le plus court délai possible.

En foi de quoi les Plénipotentiaires ont signé le présent Traité et l'ont revêtu de leur cachet.

Fait à Vienne, le 6 Décembre, 1891.

(L.S.) H. VII, P. REUSS.

(L.S.) KÁLNOKY.

* See Protocol, page 235.

ANNEXE (A).^{*}—Droits perçus à l'Entrée sur le Territoire Allemand.

Nombres correspondant au Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
ex 1	Débris et déchets—	..	Exempts.	
ex 2	(b.) Son touraillon (c.) Fils de coton, purs, ou mélangés de lin, de soie, de laine, ou d'autres matières végétales ou animales— 4. A trois bouts et plus, à simple ou double torsion, écrus, blanchis, teints 5. A deux bouts et double torsion, écrus, blanchis, teints; compris le fil à coudre de toute sorte, préparé pour la vente au détail (d.) Tissus de coton, purs, ou mélangés de fils métalliques, sans mélange de soie, de laine, ou autres poils d'animaux dénommés au No. 41— 3. Tissus serrés de toute sorte, non repris aux Nos. 1, 2, et 6; tissus non serrés, écrus (fabriqués avec du fil éçu), ne rentrant pas sous le No. 1, et non compris les tissus pour rideaux; bonneterie, passementerie, boutonnerie, fils combinés avec des fils métalliques	100 kilog.	48 00 70 00	60 00 87 50
ex 3	Plomb et ouvrages en plomb, &c.— (a.) Litharge de plomb, d'argent, et d'or .. .. .	..	120 00	150 00
ex 4	Brosserie et tannerie— ex (a), 1. Brosses en écorce, en paille, en roseaux, en herbes, en racines, en joncs, et matières similaires, même combinés avec du bois, du fer, non polis ni vernis	100 kilog. ..	4 00	5 00

* See Protocol, page 235.

Numéros correspondant au Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
<i>ex 4 (suite).</i>	Brosserie et tannerie (<i>suite</i>)— Balais en écorces, en paille, en roseaux, en herbes, en racines, en joncs et matières similaires même combinés avec du bois, du fer, non polis ni vernis	100 kilog. ..	3 00	3 75
	(<i>b.</i>) Articles de broserie et de tannerie, fins, même combinés avec d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20 .. .. .	..	24 00	30 00
<i>ex 5</i>	Drogueries, substances et préparations pharmaceutiques, &c.— <i>ex (a).</i> Huiles volatiles autres que celles reprises aux lettres (<i>c</i>) et (<i>m</i>); essences contenant de l'alcool ou de l'éther, pour l'industrie et la médecine ..	..	20 00	25 00
	Plombagine en tablettes ou en pains, &c., comprimés et préparés ..	..	2 00	2 50
	<i>ex (d).</i> Allumettes en bois .. .. .	..	10 00	12 50
	<i>ex (e).</i> Prussiate de potasse, jaune et rouge .. .. .	..	8 00	10 00
	<i>ex (f).</i> Soude calcinée .. .. .	..	2 50	3 12½
	(<i>k.</i>) Soude brute, naturelle ou artificielle; cristaux de soude; potasse ..	..	1 50	1 87½
	<i>ex (m).</i> Soude, même moulu; soufre brut et raffiné; tartre brut et raffiné; jus de réglisse; borax et acide borique; acide citrique et jus de citron, sans sucre; autres produits bruts et produits chimiques à l'usage de l'industrie et de la médecine, notamment les drogueries, les médicaments, et les couleurs, en tant que les dits objets ne sont pas repris aux lettres (<i>a</i>) jusqu'à (<i>l</i>), et (<i>n</i>) ou (<i>o</i>), ni à d'autres numéros du Tarif; benzine et autres huiles légères de goudron; huiles de térbenthine, de résine; huiles animales; eaux minérales, naturelles et artificielles, y compris les bouteilles et cruchons; pains à chanter; sucs épaissis; lies de vin, sèches et en pâte .. .. .	..	
		..		Exempt.

	100 kilog.	..	2 50	3 12½
(c.) Ouvrages en fer —	1 50	1 87½
2. Communs —	6 00	7 50
α. Non dénommés ailleurs, même en combinaison avec le bois	10 00	12 50
β. Débris, vernis au vernis commun, cuivrés, zingués, étamés, plombés, ou émaillés, mais non polis, ni vernis au vernis fin; y compris patine, marteaux, cognées, haches, serrures ordinaires, coutellerie commune, faux, faucilles, étrilles, horloges d'édifices publics, clefs pour écrous, équerres, vis à bois, vis pour serrures, pour roues, vis en fil de fer, tenailles, clefs simplement estampées, fourches à fumier et à foin	15 00	18 75
γ. Limes à main; lames d'armes blanches; fers de rabots; ciseaux à froid; ciseaux à tondre les draps; ciseaux de tailleur; ciseaux à tondre les laines; scies; vilebrequins; couteaux mécaniques et à papier, et outils analogues	24 00	30 00
3. Fins —	24 00	30 00
α. En fonte fine, telle que fonte légère d'ornementation, fonte polie, fonte d'art, fonte malléable	Exempta.	Exempta.
β. En fer forgé, polis ou vernis au vernis fin, tels que couteaux, ciseaux, aiguilles à tricoter et crochets en métal, ouvrages de fourbisseur, &c., tous les dits objets en tant que non repris à d'autres numéros du Tarif, même quand ils sont combinés avec le bois ou d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans la mercerie	Exempta.	Exempta.
Terres, minerais, métaux, &c. —	Exempta.	Exempta.
(a.) Terres et substances minérales brutes, même calcinées, lavées, ou moulues, minérales, même apprêtées, préparées	Exempta.	Exempta.
Lin et autres matières textiles, &c. —	Exempta.	Exempta.
Lin et chanvre, bruts, rouis, teillés, ou peignés, étoupe et autres déchets	Exempta.	Exempta.

Numéro correspondant au Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
9	Grains et autres produits agricoles—			
	(a.) Froment	100 kilog.	3 50	4 88½
	(b.) a. Seigle	"	3 50	4 38½
	b. Avoine	"	2 80	3 50
	(b.) 7. Sarrasin	"	2 00	2 50
	8. Légumes secs	"	1 50	1 87½
	a. Grains non dénommés	"	1 00	1 25
	(c.) Orge	"	2 00	2 50
	(d.) a. Colza et navette, œillette, sésame, arachide, et autres graines oléagineuses non dénommées	"	2 00	2 50
	e. Maïs	"	1 60	2 00
	e. r. (f). Malt (orge maltée)	"	3 60	4 50
	(g.) Anis, coriandre, fenouil, cumin	"	3 00	3 75
	(h.) Raisins frais (de table)	"	4 00	5 00
	Raisins de table importés par la poste en colis de 5 kilog. et au-dessous	"	Exempts.	
	Autre raisin frais—	"		
	Le raisin frais autre (raisins de vendage), pressuré dans des tonnes ou dans des tonneaux à cuves, même ayant subi un commencement de fermentation, la masse pressurée comprenant toutes les parties du fruit, jus, rafles, pépins, et peaux	100 kilog.	4 00	5 00
	(k.) Fleurs et feuilles, fraîches, pour bouquets et pour décorations; plantes vivantes, et parties de plantes; graines, trèfle, luzerne, et sainfoin; légumes et herbes potagères frais; pommes de terre; fruits frais non dénommés (à l'exception des raisins et des fruits du Midi), et autres produits agricoles non dénommés	"	Exempts.	

- (c.) Verre vert et autre verre commun, en pièces creuses (vases et bouteilles) de couleur naturelle, non pressés, non taillés, non peints, ni à l'émeri, non moulés, mais dont le bouchon, le pied, ou le bord seulement sont passés à la meule ou à l'émeri.
- (d.) 1. Glaces à miroir, brutes, non taillées.
 2. Verre à vitres ou en feuilles, coloré.
- Nota.*—Disques en verre pour fenêtres.
- (e.) Pendeloques de lustre, même de couleur, boutons de verre, avec ou sans queue même de couleur, verre massif blanc, non spécialement dénommé, verre moulé, passé à la meule, poli, passé à l'émeri, taillé, gravé, avec dessins, non repris en (d) ni en (f).
- Nota sur (e).*—Plaquettes de verre, perles de verre, vitrifications, larmes bataviques, même de couleur.
- (f.) 1. Verre de couleur autre que celui repris sous les lettres (a), (d), et (e), même pressé, taillé, poli, dépoli, gravé, à côtes, à dessins.
2. Plaques de verre, perles de verre, vitrifications, larmes bataviques, boutons de verre (avec ou sans queues), peints, argentés, ou dorés.
3. Autre verre peint, doré ou argenté; perles tausees, brutes, en verre, non montées.
4. Verreries et ouvrages en émail, combinés avec d'autres matières, en tant que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20.
- Nota sur (f).*—Verre opale et verre mât, unis, non taillés, non dépolis, non peints, non pressés ou taillés, ou dépolis au bouchon, au pied, ou aux bords seulement.

100 kilog.	..	3 00	3 75
100 kilog. bruts	..	8 00	10 00
100 kilog.	..	3 00	3 75
100 kilog. bruts	..	24 00	30 00
"	..	12 00	15 00
100 kilog.	..	12 00	15 00
"	..	2 00	2 50
"	..	15 00	18 75
"	..	15 00	18 75
"	..	20 00	25 00
"	..	24 00	30 00
"	..	10 00	12 50

Numéros correspondant au Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
11	Crins et cheveux, et ouvrages en crin, &c.— <i>ex (a).</i> Crins bruts, peignés, bouillis, teints, même frisés, filés; soies de porc, plumes à lit brutes.. .. .	..	Exempt.	Exempt.
12	<i>ex (f).</i> Plumes à lit, nettoyées et préparées Peaux, grandes et petites— <i>(a).</i> Peaux, grandes et petites, brutes (vortes, salées, passées à la chaux, sèches), pour tannage, même dépouillées de leur poil .. .. .	..	Exempt.	Exempt.
13	Bois et autres matières à tailler végétales ou animales, &c.— <i>ex (a).</i> Charbon de bois <i>(b.)</i> Écorces à tan et tan <i>(c.)</i> Bois à construire et pour usages industriels— 1. Brut ou simplement ébauché à la hache, ou scié, en travers, ou dégrossi, avec ou sans écorce; douves en chêne pour futaille	100 kilog. ou Mètre cube ..	0 20 1 20	0 25 1 50
	2. Bois fendu dans le sens de la longueur ou préparé autrement que par un dégrossissage à la hache, ou débité en morceaux; douves ne rentrant pas sous le No. 1; osier pour vannerie et bois pour œuvres, non pelés; moyeux, jantes, et rais de roues	100 kilog. ou Mètre cube ..	0 30 1 80	0 37½ 1 25
	3. Bois scié dans le sens de la longueur; planches non rabotées; bois d'équarrissage et autres ouvrages sciés et découpés	100 kilog. ou Mètre cube ..	0 80 4 80	1 00 6 00

.. (d) Ouvrages de tonnerre, de tour, de menuiserie, en bois, communs, non teints, ouvrages en bois simplement rabotés et ouvrages de charpente, non compris les meubles en bois dur ou plaqués; ouïer pour vannier, pèle; vannerie commune, non teinte, non passée au mordant, non laquée, non polie, ni vernie	100 kilog.	..	3 00	3 75
Vannerie en copeaux non teinte	"	..	1 00	1 25
Corne en feuillots et os bruts simplement débités en feuilles	"	..	1 50	1 874
(e.) Bois débité en feuilles de placage, parties de parquets, non assemblées, non passées au mordant	"	..	5 00	6 25
e.r (f). Meubles et parties de meubles, en bois, non compris sous les lettres (d) et (g), même combinés, dans quelques-uns de leurs parties, avec des métaux communs, du cuir, du verre, des pierres autres que fines ou demi-fines, des ouvrages en grès, de la faïence ou de la porcelaine; autres ouvrages de menuiserie, de tour, de tonnellerie, de charbonnago, et de vannerie commune, peints, passés au mordant, vernis au vernis commun ou fin, ou confectionnés dans quelques-uns de leurs parties avec les matières ci-devant dénommées; pièces de parquet assemblées ou plaquées, sans marqueterie; jouets communs, non teints	"	..	10 00	12 50
Bobines en bois, peints	"	..	5 00	6 25
e.r (g). Ouvrages fins en bois avec marqueterie ou sculpture; vannerie fine; et, en général, articles de toute sorte, non repris aux lettres (d), (e), (f), et (h), en matières à tailler végétales et animales autres que l'écaille, l'ivoire, la nacre, l'ambre, le jais ou jayet, les dits objets même combinés avec d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20; bois bronzés. .. .	"	..	30 00	37 50
Cadres et baguettes pour cadres bronzés, dorés ou argentés; jouets en bois non compris sous la lettre (f), même combinés avec d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20.	"	..	24 00	30 00
Vannerie en copeaux, teinte; meubles en bois courbé avec parties ornementées par moulure et parties de meubles ornementées par moulure (bois pour sièges, &c.)	"	..	10 00	12 50
Nota 2 sur 13 (g). — Boutons de corne moulés	"	..	30 00	37 50

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			Allemandes.	Françaises.	
			M. pf.	Fr. c.	
14 et 15	Houblon et lupuline Instruments, machines, &c.— (a.) 1. Instruments de musique, à l'exception des pianos, des pianinos, des harmoniums, et autres instruments à clavier; les orgues d'église rentrent cependant dans cette catégorie.. .. .	100 kilog. brut ..	14 00	17 50	
18	Effets d'habillement et linge de corps, confectionnés et ouvrages de mode— (c.) Non repris aux lettres (d) et (e) (f.) 2. Chapeaux d'homme, en feutre, avec ou sans garniture 3. Chapeaux pour femmes, autres que les chapeaux en feutre, avec garniture Chapeaux pour femmes, en feutre, avec garniture 4. Chapeaux non spécialement dénommés avec ou sans garniture Cuivre et autres métaux communs, non spécialement dénommés; alliages de métaux communs non dénommés et ouvrages des dits métaux et alliages— (d.) 3. Autres ouvrages non compris sous le No. 19 (d), 3, ou ne rentrant pas, par le fait de leur combinaison avec d'autres matières, dans le No. 20	100 kilog. .. " .. " .. Pièce .. " .. " .. " .. 100 kilog. ..	20 00 300 00 180 00 1 00 0 80 0 20 30 00	25 00 375 00 225 00 1 25 1 00 0 25 37 50	
19	3. Ouvrages en aluminium et en nickel, ouvrages fins et spécialement objets de luxe en alliéide, en métal Anglais, en bronze, en argentan, en tombac, et autres alliages similaires; ouvrages en laiton, fins, vernis, même combinés avec d'autres matières; tous les dits articles en tant qu'ils ne rentrent pas dans le No. 20	" ..	60 00	75 00	
et 20	Mercerie, quincaillerie, &c.— (a.) Ouvrages de corail et de perles, enfilés, pour être emballés, et expédiés (b.) 1. Ouvrages, en tout ou partie d'ambre jaune, de jais ou jayet, d'écumé de mer et de nacre de perle	" .. " .. " ..	60 00 150 00	75 00 187 50	

<p>ouvrages de métaux communs, dorés ou argentés, fins ou plaqués, d'or ou d'argent, dont garnies avec crochets ou montures en plaques, ou en autres métaux fins.</p> <p><i>Note sur (b) 1.</i>—Ivoire et ivoire en morceaux, préparés pour des articles dénommés au No. 20 (b), 1.</p>		..	260 00	260 00
<p>2. Ouvrages désignés sous la dénomination de <i>merveille et quincaillerie fines</i> (articles de parure pour homme et femme, et objets propres à garnir les toilettes et les étagères, &c.) : en tout ou partie d'aluminium ; en autres métaux communs, mais d'un travail fin, plus ou moins recouverts de nickel, plus ou moins dorés, argentés ou vernis, ou dans lesquels entrent les pierres demi-fines ou pierres fausses, l'albâtre, l'émail, ou avec parties sculptées ou ciselées, avec pâtes, avec camées, ornements coulés, ou métaux, &c.</p> <p><i>Note sur (b) 1 et 2.</i>—Articles de parure pour homme et femme, en métaux communs dorés ou argentés fins, combinés en proportion appréciable avec le verre, y compris les pierres fausses, les gemmes fausses et les camées en imitation ; articles de parure pour homme et femme, objets propres à garnir les toilettes et les étagères, en métaux communs plus ou moins dorés ou argentés, combinés en proportion appréciable avec le verre, y compris les pierres fausses, les gemmes fausses, et les camées en imitation.</p>		..	175 00	218 75
<p>3. Pendules et carrels ; éventails de toute sorte ; ouvrages fins modelés en cire.</p> <p>Paraphes et ombrelles.</p>		..	100 00	125 00
<p>4. Ouvrages non spécialement tarifés en fil de coton, de lin, de soie, de laine, ou d'autres poils, dans lesquels entrent les matières à tanner animales et végétales, les métaux communs, le verre, le gutta-percha, le caoutchouc, le cuir, le drap-cuir, le papier, le carton, la pierre, la paille, ou la poterie.</p>		..	200 00	250 00
<p>Peaux préparées et ouvrées— <i>et nota (b).</i>—Peaux de chèvre en demi-apprêt ou déjà tannées, mais non teintes encore ni avec apprêt ultérieur.</p>		..	120 00	150 00
		..	1 00	1 25

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			Allemandes.	Françaises.
			M. pf.	Fr. c.
21 (<i>suite</i>).	<p>Peaux préparées et ouvrées (<i>suite</i>)—</p> <p>(c.) Cordonnerie, sellerie, bourrellerie, et guinerie communes, et autres ouvrages en peau tannée, non teinte, simplement noircie, ou en peau brute, même combinés avec d'autres matières, en tant que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20</p> <p>(d.) Ouvrages fins en cuir de Cordoue, de Russie (saffian), en maroquin, en peau de Bruxelles ou de Danemark, en peau chamoisée et mégie, en cuir teint, en cuir verni et en parchemin, même combinés avec d'autres matières, en tant que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20 ; cordonnerie fine de toute sorte</p> <p><i>Nota</i> sur (c) et (d).—Sont traités : comme ouvrages communs en peau, la cordonnerie, et les ouvrages de malletier, communs, en toile d'emballage grise, en toile à voile, en toile de lin grossière, en coutils ou en treillis grossiers ou en toile cirée grossière, non imprimée ; comme ouvrages en peau fine, les ouvrages en toile cirée fine, en mousseline gommée fine, en taffetas ciré, &c.</p>	100 kilog.	50 00	62 50
		"	65 00	81 25
		"	100 00	125 00
	<p>(e.) Gants de peau</p> <p>Lin et chanvre (fils et tissus de), c'est-à-dire fils, tissus et bonneterie de lin, et autres matières textiles végétales, non compris le coton—</p> <p>(a.) Fil non teint, non imprimé, non blanchi, y compris les fils similaires de jute ou de chanvre de manille, retors—</p>	"		
22	<p>1. Jusqu'au No. 8 Anglais</p> <p>2. Au-dessus du No. 8 jusqu'au No. 20 Anglais</p> <p>3. Du No. 20 au No. 35 Anglais</p> <p>4. Au-dessus du No. 35 Anglais</p>	"	5 00	6 25
		"	6 00	7 50
		"	9 00	11 25
		"	12 00	15 00

(c.) Toile, imprimée, blanchie, ette similitude de jute et de chanvre de			
1. Jusqu'au No. 20 Anglais ..	..	..	..
2. Au-dessus du No. 20 jusqu'au No. 35 Anglais ..	..	..	..
3. Au-dessus du No. 35 Anglais ..	..	..	..
(c.) Fil à coudre, assorti ; fil retors non dénommé sous les lettres (a), (b), et (d) ..	..	..	..
(d.) Fil à coudre, retors, préparé ..	..	..	..
(e.) Cordages—	..	..	..
1. Cordes, câbles, même blanchis, et goudronnés ..	..	..	..
2. Cordages de toute sorte, non compris ceux désignés sous le No. 1. —	..	..	..
(f.) Toile, coutil, et treillis, non teints, non imprimés, non blanchis—	..	..	..
1. Ayant, sur une surface carrée de 4 centim. carrés, jusqu'à 40 fils, chaîne et trame comprises ; tapis de pied en chanvre de manille, en fibres de noix de coco, en jute et autres filaments, non teints.	..	..	..
2. Ayant, sur une surface carrée de 4 centim. carrés, de 41 à 80 fils, chaîne et trame comprises ; tapis de pied en chanvre de manille, en fibres de noix de coco, en jute et autres filaments, teints ..	..	..	..
3. Ayant, sur une surface carrée de 4 centim. carrés, de 81 à 120 fils, chaîne et trame comprises ..	..	..	..
4. Ayant, sur une surface carrée de 4 centim. carrés, plus de 120 fils, chaîne et trame comprises ..	..	..	..
(g.) Toile, coutil, et treillis, teints, imprimés, blanchis, même tissés avec du fil teint, imprimé, ou blanchi—	..	..	..
1. Ayant, sur une surface carrée de 4 centim. carrés, jusqu'à 120 fils, chaîne et trame comprises ..	..	..	..
2. Ayant, sur une surface carrée de 4 centim. carrés, plus de 120 fils, chaîne et trame comprises ..	..	..	..
3. Damassé de toute sorte ..	..	..	..
(k.) Dentelles de fils ..	..	..	..
Œuvres littéraires et artistiques—	..	..	..
(a.) Papier écrit (actes et manuscrit) ; livres en toute langue ; gravures sur bois, sur cuivre, et autres ; lithographies et photographies ; cartes géographiques et marines ; musique ..	..	..	..

Exempta.

Numéros correspondant au Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.		
			Allemandes.	Françaises.	
			M. pf.	Fr. c.	Exempts.
21 (suppl.).	Ouvres littéraires et artistiques (<i>enite</i>)— <i>ex (b)</i> . 1. Peintures et dessins, même reliés; statues en marbres ou autres pierres; statues en métal, grandeur naturelle au moins .. ..	..	20 00	25 00	
25	Épicerie, confiserie, et autres articles de consommation alimentaire— <i>ex (c)</i> . 1. Vin et moût en fûtailles	100 kilog.	10 00	12 50	
	Vin rouge et moût de vin rouge pour le coupage, sous contrôle	"	10 00	12 50	
	Vin pour la fabrication du cognac, sous contrôle	"	17 00	21 25	
	(<i>f</i>). Beurre, même artificiel	"	15 00	18 75	
	(<i>g</i>). 1. Viande abattue, fraîche, à l'exception de la viande de porc	"	17 60	21 25	
	Viande de porc, abattue, fraîche, et viande préparée, à l'exception du lard, frais ou préparé	"	12 00	15 00	
	2. <i>γ</i> . Poisson conservé dans le vinaigre, dans l'huile, ou avec des épices, en baril	"	12 00	15 00	
	3. Volaille de toute sorte, non vivante	"	20 00	25 00	
	Gibier de toute sorte, non vivant	"			
	(<i>h</i>). Fruits du Midi— Oranges douces, fraîches, citrons, limons frais, oranges amères, grenades, dattes, et amandes fraîches	"	4 00	5 00	
	<i>ex</i> 2. Figues sèches, raisin sec, raisin de Corinthe	"	8 00	10 00	
	<i>ex</i> 3. Dattes, amandes, oranges, et grenades sèches	"	10 00	12 50	
	<i>ex</i> (i). Poivre rouge	"	4 00	5 00	
	(<i>o</i>). Fromages de toute sorte	"	20 00	25 00	
	(<i>p</i>). 1. Confitures, sucreries, pâtisseries de toute sorte; fruits, épices, légumes, et autres comestibles (champignons, truffes, volaille, coquillages de mer, &c.), conserves au sucre, au vinaigre, à l'huile ou autrement, en bocaux, boîtes, &c., même bouillis ou salés; moutarde préparée, câpres, pâtés, sauces, et autres produits alimentaires de luxe	"	60 00	75 00	

Produits	Quantité	Unité	Prix
1. Fruits, légumes, baies, feuilles, fleurs, champignons, légumes séchés au four ou autrement pulvérisés, simplement réduits ou salés, et ne rentrant pas dans d'autres catégories du Tarif; jus de fruit, de baies et de racines alimentaires, cuits sans sucre
2. Écorces de fruits du Midi, fraîches, ou séchées—
Caroubes, même moulues
Oranges amères, vertes, même en saumure
Noix sèches, châtaignes mûres; pignons doux
3. Produits de la mouture des grains et des légumes: grains décortiqués ou concassés, orge mondé, gruaux, semoule, farine; espèces communes de boulangerie
4. Riz mondé ou non
Huiles non dénommées et graisses—
Huile d'olive comestibles—
(a). En bouteilles ou cruches
(b). En futaillies
(c). Huile d'olive en futaillies, dénaturée suivant les règlements
(d). Huile de ricin en futaillies ou en vases de fer-blanc pesant brut au moins 15 kilogrammes
(e). Résidus solides de la fabrication des huiles grasses, même moulus
(f). Graisse d'olive et autres graisses fondues, telles que oléo-margarine, graisse économique (mélange de graisses analogues au suif avec de l'huile), moelle de bœuf
(g). Cire minérale épurée
Papier et cartonnages—
(a). Pâte de chiffons, blanche ou non
(b). Pâte de bois, de paille, de sparte, ou d'autres filaments pour la fabrication du papier, blanche ou non blanchie; papier buvard gris et papier de paille grossier, jaune; carton autre que carton glacé et carton-cuir

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			Allemandes.	Françaises.	
			M. pf.	Fr. c.	
27 (suite).	Papier et cartonnages (suite) —				
	(c.) Papier d'emballage non repris aux lettres (b) ou (d), non lissé ..	100 kilog.	3 00	3 75	
	(d.) Papier d'emballage, lissé ..	"	3 00	3 75	
	Carton glacé et carton-cuir, carton à presser ..	"	6 00	7 50	
	(e.) Papier à imprimer, à écrire, à buvard, de soie, de toute sorte ..	"	6 00	7 50	
	Papier lithographique, imprimé, ou réglé, préparé pour états ou registres, pour étiquettes, pour lettres de voiture et factures, pour devises, &c., doré ou argenté, à dessins d'or ou d'argent, ou découpé à jour, à l'emporte-pièce, &c.; bandes des dites sortes de papier; carton à peindre ou à dessiner ..	"	10 00	12 50	
	ex (f). 2. Ouvrages en papier, en carton, ou carton-pâte ..	"	12 00	15 00	
	3. Ouvrages des matières ci-dessus combinés avec d'autres matières, en tant que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20: papier de tenture ..	"	24 00	30 00	
	Pelletteries (ouvrages de fourreur) —				
	(a.) Pelisses de fourrure doublées, bonnets fourrés doublés, gants de fourrure doublés, couvertures de fourrure avec doublure, fourrures doublées, garnitures, et articles similaires doublés ..	"	150 00	187 50	
	(b.) Peaux de mouton fines, préparées en poil, de même peaux d'angora et de mouton, blanchies ou teintées, non doublées, couvertures non doublées, doublures pour fourrures, et garnitures ..	"	6 00	7 50	
	ex (a). Soie en cocons; soie grège ou moulinée, non teintée; bourre de soie peignée, filée ou retors non teintée; déchets de soie, même de soie teintée ..	"			
	(c.) 1. Tissus de soie ou de bourre de soie, même avec des fils métalliques; tissus de soie mélangés d'autres matières textiles et de fils métalliques ..	100 kilog.	800 00	1,000 00	

Exempta.

(c) Tissage de soie ou de laine, de toute espèce, non couverte sous la lettre (c), combinés avec le tesson, le fil, le linge, ou d'autres matières textiles animales ou végétales .. .. .	..	..	6412 00
<i>Note.</i> — Il n'est pas tenu compte de la présence de la soie dans les tissus où elle est roulée sur des fils d'autres matières textiles quand elle ne cache pas les dits fils et qu'elle ne les suit pas dans toute leur longueur.	..	..	..
Pierres et ouvrages en pierre—	..	..	..
(a.) Pierres (ou particulier, corail, pierre d'asphalte, schiste bitumineux, marbre et albâtre) brutes ou simplement taillées, même moulées .. .. .	..	..	..
<i>Note.</i> — Les blocs dont trois côtés seulement portent des traces du travail à la scie rentrent dans la catégorie des pierres brutes ou simplement taillées.	..	..	..
<i>ex (b.)</i> Meules de moulin même cerclées en fer	100 kilog.	0 50	0 62½
(c.) Plaques d'ardoise brutes .. .. .	..	..	..
(d.) Blocs sciés, ouvrages grossiers de tailleurs de pierres (cels que montants de portes et de fenêtres, moulures, plinthes), aplatis, sans ornements, sauf pour les ouvrages grossiers en marbre ou en albâtre, mais ne comprenant pas le granit Belge (caussine, petit granit) .. .. .	..	1 00	1 25
<i>ex (d.)</i> Marbre et albâtre en blocs et plaques au-dessus de 16 centim. d'épaisseur, importés par mer	100 kilog.	0 50	0 62½
<i>ex (e.)</i> Ardoises pour toitures .. .. .	..	2 50	3 12½
(f.) Marbre et albâtre en plaques épaisses de 16 centim. et au-dessous .. .. .	..	..	..
(g.) Plaques de pierre, fendues, ou coupées de toute sorte, non polies ; ouvrages de tailleurs de pierres, ne rentrant pas sous la lettre (d), non polis .. .. .	..	3 00	3 75
<i>ex (g.)</i> Pierres faussées, taillées, polies, non montées .. .. .	..	20 00	25 00
Corail ouvré, non monté .. .. .	..	30 00	37 50
(h.) 1. (a.) Autres ouvrages (non compris les statues), en albâtre, marbre, granit, syénite, porphyre, ou autres pierres dures, à l'exception des statues, non combinées avec d'autres matières ou combinées seulement avec le bois ou le fer, sans être polis ni vernis	10 00	12 50
Charbon de terre, lignite, coke, tourbe, et charbon de tourbe	Exempt.	..

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			Allemandes.	Françaises.
			M. pf.	Fr. c.
41 (<i>suite</i>).	Laine et poils d'animaux, &c., (<i>suite</i>)— 5. Draps et tissus non imprimés, ne rentrant pas sous les Nos. 7 et 8 pesant— a. Plus de 200 grammes au mètre carré 100 kilog. .. b. 200 grammes ou moins au mètre carré	135 00 220 00	168 75 275 00

ANNEXE (B). *—Droits à l'Importation sur le Territoire douanier Austro-Hongrois.

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
9	III.—Fruits du Midi.			
	Figures— (a.) Fraîches		1 00	2 50
	(b.) Sèches	100 kilog. ..	1 00	2 50
11	Citrons, limons, oranges..	Exempts.	

* See Protocol, page 235.

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Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
35 <i>bis</i>	Racines de chicorée séchées (non torréfiées)	100 kilog. ..	0 75	1 87½
ex 36	Plantes et parties de plantes non spécialement dénommées, fraîches .. .. .	..	Exemptes.	
37	Plantes et parties de plantes non spécialement dénommées, sèches ou préparées (réduites en poudre ou autrement triturées ou teintées) .. .. .	..	Exemptes.	
38	Houblon ou lupuline	100 kilog. ..	7 00	17 50
VIII.— <i>Bêtes de Boucherie et de Trait.</i>				
39	Beufs	Brut par tête.	12 75	31 87½
40	Taureaux .. .. .	..	4 00	10 00
41	Vaches .. .. .	..	3 00	7 50
42	Bouvillons, taurillons, et génisses .. .. .	..	2 60	6 25
43	Veaux .. .. .	..	1 50	3 75
ex 44	Brebis (même boucs et moutons) .. .. .	..	0 60	1 25
ex 45	Agneaux .. .. .	..	0 25	0 62½
46	Porcs dont le poids dépasse 10 kilog. .. .. .	..	1 50	3 75
47	Cochons de lait dont le poids ne dépasse pas 10 kilog. .. .. .	..	0 30	0 75
48	Chevaux .. .. .	..	10 00	15 00
	1. Chevaux jusqu'à 2 ans .. .. .	..	5 00	12 50
	2. Poulains suivant leur mère .. .. .	..	Exemptes.	
49	Mulets, bariots, et ânes .. .. .	..	Exemptes.	
IX.— <i>Animaux (autres).</i>				
ex 50	Volaille de toute sorte— (a.) Vivante (b.) Morte .. .. .	.. .. . 100 kilog. ..	3 00 Exempte.	7 50

	N.	Produits d'Annam			Droits de douane
60		Oufs de volaille .. .. .	..	..	Exemptes.
60		Rices contenant le miel et la cire .. .. .	..	..	Exemptes.
61		Fleurs et pelletteries brutes (c'est-à-dire, vertes ou séchées, même salées ou jussades à la chaux, mais pas autrement travaillées) .. .. .	..	..	Exemptes.
62		Poils de toute sorte, bruts et apprêtés (même peignés, bouillis, teints, ou colorés, même en boudes), soies de porc et de sanglier Plumes non spécialement dénommées (y compris les plumes à lit et les plumes à écrire), plumes de parure non apprêtées .. .. .	..	..	Exemptes. Exemptes.
70		Paraffine	100 kilog.	5 00 1 00	12 50 2 50
72		Huile de palme et huile de noix de coco solide ; suif végétal Huile d'olive pure, en futailles, autres, et vessies Huile du pavot, de sésame, d'arachides, de faines, de tournesol, et de graine de coton (huile de colon), huile d'olive mélangée avec d'autres huiles grasses, en futailles, autres, et vessies Huile de lin, en futailles, autres, et vessies Huile de navette et autres huiles grasses non spécialement dénommées, en futailles, autres, et vessies	" 100 kilog.	2 40 4 00 2 40 4 00	6 00 10 00 6 00 10 00
74		L'huile d'olive, de ricin, et d'arachide, en futailles, autres, et vessies, entièrement dénaturée, sous contrôle des bureaux de douane spécialement autorisés à cet effet Huiles grasses, en bouteilles et en cruches	" "	0 80 10 00	2 00 25 00

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			Autrichiennes.	Françaises.	Fr. c.
			Fl. k.		
78 (a)	Vinaigre de table, en fûtailles.	100 kilog.	4 00		10 00
	XIII.— <i>Boissons.</i>				
	XIV.— <i>Aliments Préparés.</i>				
82	Pâtes farineuses dites d'Italie, c'est-à-dire nouilles et autres pâtes alimentaires non cuites	100 kilog.	3 75		9 37½
83	Viande fraîche ou préparée, c'est-à-dire salée, séchée, fumée, ou desséchée et salée (gepöckelt)	"	6 00		15 00
84	Cervelas, saucis-es, et saucissons	"	16 00		40 00
85	Fronnages	"	10 00		25 00
87	Poissons, à l'exception des harengs, salés, fumés, séchés	"	8 00		7 50
88	Poissons préparés (marinés ou conservés dans l'huile, &c.) en barils	"	15 00		37 00
92	Aliments préparés (renfermés hermétiquement dans les boîtes, bocaux, &c., autres que ceux repris aux Nos. 89 et 91	"	35 00		87 50
93	Conestibles non spécialement dénommés	"	35 00		87 50
	XV.— <i>Bois, Charbon, et Tourbe.</i>				
96	Charbon de bois, tourbe, et charbon de tourbe, lignite, et charbon de terre, coke, et combustibles solides de toutes sortes provenant de ces matières	"			
	XVI.— <i>Matières à Tourner et à Tailler.</i>				
99	Cornes entières, cornes en feuillets et pointes de cornes, sabots, pieds, et griffes d'animaux, os séchés, redressés, ou défilés en morceaux	"			
et 101	Cornail brut, même perforé, mais non poli	"			

		XVII. <i>Matières Médicines.</i>							
		Purées brutes ou simplement dégrossies au crible, minerais, même préparés.							
		Terres et autres substances minérales—							
		(a.) Brutes .. .. .	..			Exempt.		
		(b.) Criblées, lavées, ou moulues—	..			Exempt.			
		1. Terres colorantes	100 kilog.			0 50	1 25		
		2. Autres .. .. .	..			Exempt.		
		<i>Nota.</i> —Les dits articles sont traités comme ci-dessus, en tant qu'ils ne sont pas repris dans d'autres sections.							
		XVIII.— <i>Substances propres à la Médecine et à la Pharmacie.</i>							
		Jus de réglisse	100 kilog.			4 00	10 00		
		Eau de fleur d'oranger et eaux parfumées analogues (sans alcool) ..	..			6 00	15 00	
		Huiles volatiles—	..						
		(a.) D'ambre jaune, de corne de cerf, de caoutchouc, de laurier, de romarin, et de genièvre .. .. .	..			6 00	15 00	
		(b.) Autres, non dénommées .. .. .	..			15 00	37 50	
		Vinaigres, graisses, et huiles parfumées, en récipients d'au moins 5 kilog...	..			10 00	25 00		
		XIX.— <i>Substances propres à la Teinture et au Tannage.</i>							
		Bois de teinture—				Exempt.			
		(a.) En bûches .. .. .	..			0 75	1 87½	
		(b.) Réduits en menues parties, c'est-à-dire râpés, moulus, coupés ..	100 kilog.			0 75	1 87½		
		(c.) Réduits en menues parties, ayant subi une fermentation .. ..	..					
		Ecorces, racines, feuilles, fleurs, fruits, avelanèdes, noix de galle, &c., propres à la teinture et au tannage, même coupés, moulus, ou autrement réduits en menues parties .. .. .	..			Exempt.		
		Extraits de bois de châtaignier	100 kilog.			1 50	3 75		
		Orseille, persil, indigo, cochenille .. .. .	..			Exempt.		
		Extraits de substances propres au tannage et à la teinture, non spécialement dénommés	100 kilog.			1 50	3 75		
		<i>Nota.</i> —L'indigo et la cochenille importés par mer.							

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. o.
XX.—Gommes et Résines.				
114	Goudrons de toute sorte, autres que le goudron de lignite ou de schiste ..	..	Exempts.	0 50
ex 115	Résine commune, colopiane; poix, à l'exception de la poix de goudron de houille ..	..	Exempts.	2 50
ex 117	Poix de goudron de houille ..	100 kilog.	0 20	
118	Huile de résine ..	..	1 00	
	Copal, dammar, laque en écailles, gomme arabique, gomme de Djeddah, gomme du Sénégal, gomme-gutte, gomme adragante, gommes, résines, et gommes-résines, baumes naturels et sucs de plantes non spécialement dénommés, y compris la manne ..	..	Exempts.	
XXII.—Coton, Fils, et Tissus de Coton.				
124	Fils de coton— Simples, écrus— (a.) Jusqu'au No. 12 Anglais .. (b.) Au-dessus du No. 12 jusqu'au No. 29 Anglais ..	100 kilog.	6 00 8 00	15 00 20 00
124 bis	Fils de coton — Doubles, écrus— (a.) Jusqu'au No. 12 Anglais .. (b.) Au-dessus du No. 12 jusqu'au No. 29 Anglais ..	..	8 00 10 00	20 00 25 00
125	Simples ou doubles, blanchis ou teints— (a.) Jusqu'au No. 12 Anglais .. (b.) Au-dessus du No. 12 jusqu'au No. 29 Anglais ..	..	12 00 14 00	30 00 35 00
126	A trois bouts ou plus, écrus, blanchis, ou teints ..	..	24 00	60 00
ex 127	Fils assortis pour le commerce de détail ..	..	35 00	87 50

Nombres d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
				Exempts.
		..		
		100 kilog.	1 50	3 75
		"	5 00	12 50
		"	18 00	45 00
		"		
		"	1 50	3 75
		"	5 00	12 50
		"		
		"	6 00	15 00
		..		
		..		Exempts.
		100 kilog.	12 00	30 00
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Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
XXIV.— <i>Laine.</i>				
152	Laine brute, lavée, peignée, teinte, blanche, moulue, et déchets de laine ..	..	
154	Fils de laine ou d'autres poils, fils de vigogne— (a.) Fils de mérinos, d'alpaca (même mottled alpaca), et de laine lisse, tous les dits fils, simples ou doubles, écrus, importés par les bureaux de douane spécialement autorisés ..	100 kilog.	1 50	3 75
	(b.) Fils non spécialement dénommés, écrus, simples— 1. Jusqu'au No. 45 métrique ..	..	8 00	20 00
	2. Au-dessus du No. 45 métrique ..	..	10 00	25 00
	(c.) Fils non spécialement dénommés, écrus, doubles ou à plusieurs bouts— 1. Jusqu'au No. 45 métrique ..	..	12 00	30 00
	2. Au-dessus du No. 45 métrique ..	..	14 00	35 00
	(d.) Fils non spécialement dénommés, blanchis, teints, imprimés, simples— 1. Jusqu'au No. 45 métrique ..	..	12 00	30 00
	2. Au-dessus du No. 45 métrique ..	..	14 00	35 00
	(e.) Fils non spécialement dénommés, blanchis, teints, imprimés, doubles ou à plusieurs bouts— 1. Jusqu'au No. 45 métrique ..	..	16 00	40 00
	2. Au-dessus du No. 45 métrique ..	..	16 00	40 00
156	Tapis de pied— (b.) Autres, même imprimés ..	..	50 00	125 00
158	Tissus de laine non spécialement dénommés, pesant par mètre carré— (a.) Plus de 500 grammes ..	..	50 00	125 00
	(b.) De 500 à 200 grammes ..	..	80 00	200 00
	(c.) 200 grammes ou moins par mètre carré, même imprimés ..	..	110 00	275 00

	Vélours et tissus façon velours (à poil ras ou non) boutons, boutons-fermés	Tissus de laine imprimée (A l'exception de ceux qui sont dénommés sous les Nos 168 (d), 169 (c) et 170).	(B.) Fautre autre et feutre ouré, non imprimés	Nos 161 Nos 162 Nos 163 Nos 164	Mt Mt Mt Mt Mt Mt Mt Mt	212 Gd 213 Gd 214 Gd 215 Gd
XXV.—Soie.						
Soie en cocons (galettes), déchets de soie non filés	Exemple.		
Soie divisée ou filée, même tordue— (a.) Écrue	Exemple.		
Bourre de soie (déchets de soie filés), même retordue— (a.) Écrue ou blanchie	Exemple.		
Tissus de soie— Tissus de soie brodés ou mélangés de fils métalliques : tulles, gaze, blondes, dentelles (fichus de dentelle)		500 00	1,250 00
Garnitures de ganses de soie ou de demi-soie, galons, chenilles, &c., passements confectionnés		400 00	1,000 00
Tissus de soie pure, c'est-à-dire, de soie ou de bourre de soie— (a.) Bouton et passementerie		300 00	750 00
(b.) Tissus unis de soie pure et armures		200 00	500 00
(c.) Autres tissus de soie pure		400 00	1,000 00
Tissus demi-soie, c'est-à-dire— Tissus non dénommés au No 168, qui contiennent outre la soie et la bourre de soie d'autres matières susceptibles d'être filées— (a.) Velours et rubans de velours		300 00	750 00
(b.) Autres tissus de demi-soie		225 00	562 50
Note 1.—Tissus très grossiers en fils écrus provenant de déchets, ayant l'apparence de toile d'emballage grise, et servant comme draps à presser, chiffons à essuyer, même combinés avec quelques fils teints		24 00	60 00
Note 2.—Dans les tissus formés de fils où il entre de la soie, mais où elle ne recouvre pas les dits fils d'autres matières textiles ou bien n'est pas mélangée avec eux sur toute la longueur du tissu, il n'est pas tenu compte de la soie.			

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
XXVI.— <i>Effets d'Habillement, Linge et Ouvrages de Mode.</i>				
174	Chapeaux pour hommes, en feutre, même garnis	100 kilog.	90 00	225 00
ex 175	Chapeaux de paille, de copeaux, en jonc, en écorce, en roseau, en os de baleine (Fischbein), en feuilles de palmier—			
	(a.) Non garnis	Pièce ..	0 10	0 25
	(b.) Garnis ..	" ..	0 20	0 50
	Chapeaux de dames, en feutre, garnis ..	" ..	0 40	1 00
	(c.) Chapeaux de dames; en feutre, parés ..	" ..	0 40	1 00
ex 176	Confections et mantelets pour dames, en lainage, avec garnitures (doubleure, ornements, &c.), en soie dénommée aux Nos. 168, 169, et 170 ..	100 kilog.	250 00	625 00
	Le linge, à l'exception du linge de luxe, est taxé d'après la matière dominante augmentée de 40 pour cent.			
XXVII.— <i>Brosserie et Tapisserie.</i>				
177	Brosses communes, balais et pinceaux grossiers, c'est-à-dire, en soie de porc ou de sanglier, en paille de riz, en piassava ou autres matières animales ou végétales, même montés en bois ou en fer, non teints, non vernis au vernis commun ou fin, savoir—			
	(a.) Balais en paille de sorgho avec ou sans manche	100 kilog.	1 50	3 75
	(b.) Autres ..	"	8 00	20 00
178	Cribles achetés, en bois, avec fonds en bois tressé ou en fil de fer, fonds de cribles en bois ..	"	8 00	20 00

Plus vous êtes en retard de payer, moins vous êtes de bonne chance (de telle sorte qu'un jour, sans le faire, un homme commettait une dizaine d'années, au tant qu'il en ne recroût pas dans les courages en courtoisie, en peu, en un, en même en dans la queue, acquittant un desir plus élevé.

XXVIII. *Overige en Paille et en Korse.*

	Tapis de pied et nattes en paille, copeau, ruseau, en fibres de noix de coco, en herbes, même en varech, jonc, copeaux, rosin, racines similaires, &c.—	
(A.) Non teints	100 kilog.
(B.) Teints	" "
Tresses de copeaux pour fonds de tania, chapeaux, tapis de table—		
I. Non teints	" "
II. Teints	" "
Liens de paille (ouvrages tressés en paille, en forme de liens, de toute nature), non mélangés avec d'autres matières	" "
		7 60
		12 50
		0 60
		5 00
		12 50
		2 00
		5 00

XXXIX.—*Papier et Ouvrages en Papier.*

	Pâte de papier, blanche ou non blanchie— (a.) De chiffons (demi-pâte). (b.) De bois, de paille, de sparte, et autres filaments	..	..	..	..	..	Exempte.
185	Papier bouillard gris, papier d'emballage grossier, non teint	..	..	..	..	..	0 50
196	Carton goudronné, carton-pierre, carton de paille ..	..	..	..	..	..	1 50
187	Carton ordinaire autre que les précédents ..	..	..	..	..	..	1 00
188	Papier d'emballage glacé, coloré, verni ou goudronné ..	..	..	..	..	..	0 50
189	Carton lustré à presser les draps, carton glacé, et carton-cuir ..	..	..	..	..	..	1 50
190	Papier non collé, commun (gros-ter, gris, mi-blanc, et de couleur) ; papier non collé à imprimer de toute sorte ..	..	..	..	..	..	3 00
191	Papier non spécialement dénommé ..	..	..	..	..	..	3 00
	Papier lithographique, imprimé ou réglé pour devises, étiquettes, factures, &c.; papier à dessiner, papier à décalquer, papier albuminé, papier gélatiné, papier parchemin, papier à estampes, papier marbré, carton à peindre ..	..	..	..	..	..	5 00

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Nouveau Tarif Conventionnel. Droits en Unités.		
		Basco.		Françaises.
		Autrichiennes.	Fl. k.	
192	(a.) Papier doré ou argenté, papier à vignettes d'or ou d'argent fin ou non fin, même bronzé; papier gaufré ou découpé à jour à l'emporte-pièce, papier en bandes de l'espace ci-dessus, papier et carton recouverts de toiles de lin ou de coton collées	100 kilog.	10 00 18 00	25 00 45 00
193	(b.) Papier de tenture	"		
194	Ouvrages moulés en carton-pierre, en asphalte, ou autres matières semblables— (a.) Non peints, ni vernis, même combinés avec le bois ou le fer Ouvrages en papier et en carton, en carton-pâte, ou en fibres de bois, même combinés avec d'autres matières en tant qu'ils ne rentrent pas soit dans les articles repris au No. 195 ci-après, soit dans les ouvrages en caoutchouc, en peau, en métal, ou dans la quincaillerie, taxés à des taux plus élevés; coffres de chapeaux en papier, même recouverts d'étoffe	"	2 00	5 00
195	Papeterie de luxe, cartonnages fins, étiquettes et vignettes de différentes couleurs (chromolithographies), jouets d'enfants, lingerie en papier reliures mobiles, recouvertes de toile de lin ou de coton; tous les dits ouvrages, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en peau ou dans la quincaillerie taxés à des taux plus élevés	"	12 00 18 00	30 00 45 50
200	XXX.—Caoutchouc, Gutta-percha, et Ouvrages fabriqués avec ces Matières. Thyaux et courroies de transmission de toute sorte, en caoutchouc ou avec caoutchouc, même renforcés de toile ou de fils métalliques	100 kilog.	20 00	50 00
203	Ouvrages en caoutchouc non autres que ceux repris aux Nos. 200, 201, et 202	"	25 00	62 00
et 206	Nota.—Plaques et bande de caoutchouc mou, non vulcanisé Tissus élastiques pour chaussures avec fils de caoutchouc collés Autres tissus élastiques	"	10 00 50 00 70 00	25 00 125 00 175 00

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Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
XXXIII.— <i>Pelletteries.</i>				
220	Pelletteries apprêtées, non confectionnées—			
	(a.) En peaux communes	100 kilog.	6 00	15 00
221	(b.) En peaux fines	"	50 00	125 00
	Pelletteries confectionnées—			
	(a.) En peaux communes	"	60 00	150 00
	(b.) En peaux fines	"	150 00	375 00
<i>Nota.</i> —Sont traitées comme pelletteries confectionnées en peau fine les effets d'habillement, autres qu'en soie, et les gants de peau recouverts, doublés ou bordés en pelletteries fines.				
XXXIV.— <i>Ouvrages en Bois et en Os.</i>				
222	Ouvrages en bois de l'espèce la plus commune, c'est-à-dire, ouvrages de tonnelier, de tourneur, de menuisier; ouvrages de charonnage, et autres ouvrages en bois simplement ébauchés au rabot; machines en bois communes (y compris les tours à tourner, les calandres, les moulins, les presses, les rouets à filer, et les métiers de tissand); balais de ramille; ustensiles d'agriculture, de jardinage, et de cuisine—			
	(a.) Non peints, non passés au mordant, non vernis au vernis commun ou fin, non polis, non combinés avec d'autres matières	100 kilog.	1 50	3 75
	(b.) Bruts, mais garnis ou autrement combinés avec du fer ou d'autres métaux communs	"	3 00	7 50

224	Habiles en bois, peints .. .. .	..	5 00	12 50
	Ouvrages en bois, fins, c'est-à-dire, ouvrages fins de tourneur et de sculpteur, en bois bronzés, dorés, argentés, ou avec petites fines; ouvrages de toute sorte, en bois, non spécialement dénommés; ouvrages en autres matières végétales à tailler .. .. .	..	2 50	4 25
225	Raguettes et cadres, bronzés, dorés, ou argentés .. .. .	..	15 00	37 50
	Meubles en bois coulés avec parties ornementées par provision et parties de meuble ornementées par provision, telles que planchettes pour sièges, &c. ..	..	12 00	30 00
	Ouvrages en bois, avec incrustations fines (meubles de boule, marqueterie), mètres de poche articulés .. .. .	..	5 00	12 50
225 bis	Vannerie— .. .. .	..	30 00	75 00
	(a.) Commune (c'est-à-dire, paniers communs, bannes, mannes à linge, nasses, &c., ni peints, ni passés au mordant, ni vernis, ni polie, ni combinée avec d'autres matières) .. .. .	..	1 50	3 75
226	(b.) Fine, ne rentrant pas dans la quincaillerie .. .. .	..	25 00	62 50
	Feuilles de placage sans incrustations, parquets et parties de parquet—	..		
	(a.) Bruts .. .. .	..	1 50	3 75
229	(b.) Passés au mordant, peints, polis .. .. .	..	3 00	7 50
	Jouets d'enfants, en bois— .. .. .	..	
	(a.) Grossiers, simplement rabotés, taillés, ou tournés, bruts .. .. .	..	5 00	12 50
	(b.) Autres .. .. .	..	12 00	30 00
	Boutons d'os ou de corne .. .. .	..	25 00	62 50
ex 230 (b)	Nota.—Morceaux d'os, de corne, &c., préparés pour un complément de travail, ainsi que de matières désignées au No. 310 .. .. .	..	20 00	50 00
	Les articles repris aux Nos. 224, 225, 229 (b), même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en cuir, en métaux, ou dans la quincaillerie, taxés à des droits plus élevés.	..		

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
ex 231	XXXV.— <i>Verres et Ferreries.</i> Verre en masse; pâte d'émail et de glaçure, en masse	.. .. .	1 50	3 75
232	Verre creux— Verre en pièces creuses commun, c'est-à-dire, non taillé, uni, non dépoli, non pressé— (a.) De couleur naturelle, mais non blanc (b.) Blanc (transparent)	100 kilog. .. .. . .. .. . .. .. .	.. .. . 1 50 3 00	.. .. . 3 75 7 50
234	Verre en pièces creuses, blanc (transparent), taillé, moulé, pressé, dépoli, gravé à l'eau-forte ou autrement, verre blanc massif non spécialement dénommé	.. .. .	6 00	15 00
235	Verre en feuilles— Verre à miroir, brut, non poli; verre en tables, brut, coulé, à côtes et tuiles en verre .. .. .	.. .. . .. .. .	1 50 12 00	3 75 30 00
ex 237 234	Miroirs encadrés Verre pour l'optique, savoir, flint-glass, crown-glass, verre au zinc et au borax, bruts, non taillés en lentilles, pressés ou ébauchés en disques, plaques ou en forme de lentilles, même polis en partie	.. .. . .. .. . .. .. .	.. .. . 1 50	.. .. . 3 75
239	Verres de montre, verres de lunette, et autres, verres d'optique apprêtés ou taillés .. .. .	.. .. .	50 00	125 00
240	Baguettes, disques, et tubes de verre, sans distinction de couleur (pour la fabrication des perles artificielles, des ouvrages à la lampe d'émailleur et des boutons).	.. .. .	1 50	3 75
241	Pendeloques de lustres massives, boutons de verre, perçés ou non; corail de verre, perles de verre, émail de verre, larnes bataviques, tissus de verre, les dits articles même colorés .. .. .	.. .. .	.. .. .	.. .. .
242	(a.) Ronds de verre (Butzenscheiben) (b.) Verre de couleur, à vitres et en feuilles (c.) Verre à couler (autre que celui repris aux Nos. 242 (b), 240, et 241) .. .. .	.. .. . .. .. . .. .. .	2 00 6 00 12 00 7 50	5 00 15 00 30 00 18 75

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Dr. its en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
247	Ouvrages en pierre, fins, c'est-à-dire articles de luxe (presse-papiers, chandeliers, coupes, enciers, &c., objets propres à garnir les toilettes et les étagères; statues, bustes, figures d'animaux et ouvrages plastiques du poids de 5 kilog. ou moins); ouvrages combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en peau, en métal, ou dans la quincaillerie	100 kilog. ..	15 00	37 50
et 248	Cornil fin ou faux, ouvré, non monté .. .. .	..	24 00	60 00
XXXVII.— <i>Poteries.</i>				
249	Tuiles et briques ordinaires (pour toitures et murailles) et tuyaux en terre, non vernissés .. .. .	..	Exemptes. Exemptes.	1 25
249 bis	Tuiles et briques vernissées .. .. .	..	
250	Tuiles en onglets	100 kilog. ..	0 50	1 25
251	Ouvrages en terre réfractaire, non spécialement dénommés— (a.) Briques de forme ordinaire et pesant chacune jusqu'à 5 kilog. ..	..	0 25	0 62½
	(b.) Autres .. .. .	..	0 75	1 87½
251 bis	Matériaux de pavage et tuyaux en grès commun, y compris les tuyaux en terre vernissés .. .. .	..	0 50	1 25
et 252 (b)	Cornues, creusets, ustensiles pour fabriques (en plombagine, en argile réfractaire, ou en grès commun) .. .. .	..	1 00	2 50
et 253	Poterie ordinaire en argile commune .. .. .	..	0 50	1 25
	Ornements pour églises (même en terre cuite), vernissés ou non; potées ordinaires et parties de potées; carreaux de revêtements pour murailles et pour carrelages non vernissés, autres que les articles suivants .. .. .	..	0 50	1 25

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
261 (suite).	Toile et plaques de fer (suite)— (e.) Vernies, cuivrées, étamées, zinguées, plombées, nickelées; tôles et plaques polies—			
	1. D'une épaisseur de 4 millim. et plus	..	8 00	20 00
	2. D'une épaisseur inférieure à 4 millim.	100 kilog.	9 00	22 50
	(f.) Avec dessins, noircies, vernies, au vernis fin ..	..	8 00	20 00
	1. D'une épaisseur de 4 millim. et plus ..	..	9 00	22 50
261 bis	2. D'une épaisseur inférieure à 4 millim. ..	..	4 00	10 00
	Fil de fer—			
	(a.) D'une épaisseur de 1.5 millim. et plus ..	..	3 00	7 50
	Nota.—Fil de fer laminé au-dessus de 4 millim. pour tréfileries, moyennant permis et sous certaines conditions et certains contrôles à déterminer par voie d'ordonnance.			
	(b.) D'une épaisseur comprise entre 1.5 millim. et 5 millim. ..	..	5 00	12 50
	(c.) D'une épaisseur moindre que 5 millim. ..	..	5 00	12 50
	Nota.—Fil à cardes au-dessous de 1.5 millim. pour les fabriques de cardes moyennant permis et sous conditions et contrôles à déterminer par voie d'ordonnance ..	..	1 50	3 75
	(d.) Verni, cuivré, étamé, zingué, plombé, nickelé—			
	1. D'une épaisseur de 1.5 millim. et plus ..	..	6 00	15 00
	2. D'une épaisseur moindre que 1.5 millim.	..	7 00	17 50
262	Ouvrages en fer—			
	Fonte commune—			
	(a.) Brute, non travaillée ..	..	2 00	5 00
	(b.) Blanchie ou grossièrement pointée, forée ou polie sur quelques points seulement, tournée ou rabotée; y compris la fonte brute avec orne- ments, ne faisant pas partie du No. 270 ..	..	4 00	10 00

Numéro- d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
269	Scies non blanchies; limes et râpes de 25 centim. ou plus d'entaille; vrilles, marteaux, haches, tenailles, etc.; filières à cousinets; fourches à foin et à fumer autres que celles reprises au No. 267; balances et parties de balances; serrures, clefs, et autres parties de serrures; clous à ferrer et clous à tête, vis de 5 millim. au moins d'épaisseur; tous les dits articles en tant qu'ils ne rentrent pas dans un numéro plus fortement taxé, même combinés avec le bois ..	100 kilog. ..	10 00	25 00
269 bis	Scies blanchies, limes, et râpes de moins de 25 centim. d'entaille, rabots et repousseurs, ciseaux à froid, aléaux, couteaux et ciseaux grossiers pour usages industriels et agricoles, y compris les machines; outils complètement terminés de toute sorte, d'un poids de 500 grammes chaque; vis d'une épaisseur inférieure à 5 millim.; tous les dits articles même combinés avec d'autres matières, en tant qu'ils ne sont pas repris au No. 271, ni à la quincaillerie et aux ouvrages en caoutchouc, en cuir et en métaux, plus fortement taxés ..	..	15 00	37 50
270	Ouvrages fins en fer et en acier— Fonte artistique et fonte d'ornement légère; parties détachées pour la coutellerie, brutes, grossières (seulement fondues, moulées, forgées), ouvrages en fil métallique, non spécialement dénommés, y compris cordes d'acier; ouvrages combinés avec d'autres matières; tous les dits articles en tant qu'ils ne rentrent pas dans l'Article 271 ou 272 et dans la quincaillerie, dans les ouvrages en caoutchouc, en cuir, ou en métal ..	..	12 00	30 00
271	Armes (à l'exception des armes à feu portatives à la main) et parties d'armes ..	..	25 00	62 50
271 bis	Polis, vernis au vernis fin, nickelés, émaillés, à l'exception de la fonte commune émaillée dénommée au No. 262 (c); fil de fer recouvert d'un tissu; peignes et dents de peigne de tissand; cordes de toute sorte; jouets, patins; meubles rembourrés, recouverts ou avec ornements fins ..	..	20 00	50 00

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
276 bis	Plaques et feuilles bombées ou percées de trous (c.) Feuilles, planches, et plaques en cuivre rouge ou jaune plaqués d'argent Fils en cuivre rouge ou jaune plaqués d'argent ; fil de cannetille fausse, même plaquée, mais non autrement travaillée	100 kilog. " "	Fl. k. 10 00 20 00 30 00	Fr. c. 25 00 50 00 75 00
279	Ouvrages en métaux fins, c'est-à-dire, non repris aux autres numéros, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans le No. 280 ou dans les ouvrages en coutellerie, en peau ou dans la quincaillerie, acquittant des droits plus élevés ; câbles télégraphiques	"	15 00	45 00
280	Ouvrages en métaux, de l'espèce la plus fine, c'est-à-dire, articles de luxe, et autres finement travaillés ou ornés, pressés, vernis, nickelés, ouvrages en pack- fong (argentan, alliage, et autres compositions de nickel) ; en métal Anglais, bronze, laiton, tombac, et allages analogues, ouvrages en aluminium ou en nickel, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en peau ou dans la quincaillerie, bronze en poudre	"	40 00	100 00
281	Juets, aiguilles, agrafes, boucles, boutons, fils à coudre, &c. ; menus objets d'usage même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en peau ou dans la quincaillerie, acquittant des droits plus élevés	"	30 00 50 00 25 00	75 00 125 00 87 50
et 282	Tissus métalliques, fins, c'est-à-dire, contenant par 2 centim. 20 fils de chaîne et plus, autres que les articles suivants Tissus métalliques contenant de 20 jusqu'à 40 fils de chaîne simple par 2 centim. ; plumes à écrire ; fil métallique surfilé de fil de matières textiles	"	8 00	20 00

XL.—Machines et Appareils.

284	Machines à coudre et à tricoter (a.) Tables, machine en parties séparées (b.) Filles de machines à coudre; parties dites têtes (à l'exclusion des aiguilles) terminées .. (c.) Parties des dites têtes, non terminées, même en fonte brute; machines à coudre et à tricoter avec tables .. Machines pour la préparation et la mise en œuvre des matières textiles; machines à filer, machines à retordre du fil— (a.) Pour le filage des déchets de laine et de coton ou de la laine cardée .. (b.) Pour tout autre filage .. Métiers à tisser (même pour dentelles) et machines auxiliaires pour le tissage; métiers à bonneterie et charnières à vapeur .. Machines à imprimer à rouleaux; machines à broder; machines à carder .. Tous les dits articles (284 et 284 bis) même en parties séparées terminées complètement.	..	..	15 00
284 bis	Appareils à distiller et réfrigérants pour distilleries, brasseries, &c. .. Machines à battre .. Machines et appareils en métaux communs, non spécialement dénommés (c'est-à-dire, contenant plus de 50 pour cent de métaux communs) .. Machine à papier proprement dite avec l'appareil sècheur; machines à fabriquer les tuiles et les briques (machines à triturer, à comprimer, et à mouler l'argile); pétrisseuses; appareils à dessécher les fruits et les légumes; calendres de toute nature du poids de 100 quintaux métriques et au-dessus; métiers à cylindres et appareils de meunerie; machines-outils du poids de 200 quintaux ou au-dessus. Tous ces articles même en parties séparées, terminées complètement .. Autres machines et appareils non spécialement dénommés ..	..	..	10 00 25 00 17 50 30 00
284 ter. 284 quat. 286	Voitures garnies en cuir ou rembourrées pour le transport des personnes .. Voitures (y compris voitures de tramway) — Wagons pour le transport des marchandises ..	Unité..	..	187 50
287	..	100 kilog.	..	16 25

XLI.—Voitures.

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Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
	XLIII.— <i>Instruments, Horlogerie, Quincaille.</i>			
298	Instruments de précision pour usages scientifiques (d'astronomie, de mathématiques, de physique, de chirurgie), sans égard à la matière dont ils sont composés .. .. .	..	
299	Instruments d'un usage général— (a.) D'optique: lorgnettes de spectacle (b.) Non spécialement dénommés <i>Nota.</i> —Les articles désignés sous le No. 299, lettres (a) et (b), en tant qu'ils ne rentrent pas dans la quincaille, acquittant des droits plus élevés.	100 kilog. " "	125 00 50 00	312 50 125 00
300	Instruments de musique— (a.) Pianos, pianinos, harmonium, et autres instruments à clavier (à l'exception des orgues d'église) (b.) Autres .. .. .	.. " "	20 00 10 00 40 00	50 00 25 00 100 00
304 305	Fournitures d'horlogerie Horloges de la Forêt Noire (horloges avec montre en bois) de toute nature, sans distinction des cages en tant qu'elles ne rentrent pas dans la quincaille, acquittant des droits plus élevés Autres horloges et mouvements d'horlogerie non spécialement désignés en tant qu'ils ne rentrent pas dans la quincaille, acquittant des droits plus élevés .. .. .	.. " "	40 00 100 00	100 00 250 00
307	Ouvrages en or et en argent, joaillerie et tous ouvrages non spécialement dénommés, en tout ou en partie en métaux fins, en perles fines ou fausses, en pierres fines montées, tissus d'or et d'argent, et ouvrages en tissus d'or et d'argent, ainsi qu'en fils métalliques d'or et d'argent, ouvrages en cannetille ou en fils métalliques de métaux communs, dorés ou argentés fins	300 00	750 00

	Unité.	1900 (M)	1901 (M)	1902 (M)
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XLVI — Produits Chimiques, Couleurs, Médicaments, et Parfumerie.

323 bis et 326 327	328 330 331	332 et 333	335	4 (M) 5 (M) 6 (M)	10 (M) 12 (M) 16 (M)	100 kilog.	Exempta.
Cirage
Noirs préparés
Colle de toute sorte, gélatine, (animale et végétale)
Colle forte (dextrine, léogomme) et autres succédanés de la gomme non spécialement désignés; colle d'amidon, colle de pâte, et autres produits contenant de l'amidon pour l'encollage et l'apprêt
Amidon et farine d'amidon
Alizarine et autres matières tinctoriales tirées du goudron; matières tinctoriales organiques préparées artificiellement
Chlorure de zinc, même liquide
Acide tartrique, chlorate de potasse
Autres produits et préparations chimiques non spécialement dénommés
<i>Nota.</i> —Les dérivés de la distillation du goudron de houille, repris aux Nos. 117, 322, 330, et 331, devant être traités ensuite pour la fabrication des couleurs de goudron, moyennant une permission sous des conditions et des contrôles à déterminer par voie d'ordonnance							
Cire à cacheter, pains à cacheter, ouvrages en gélatine, encre et encre en poudre
Crayons de mine de plomb, de sanguine et de couleur, avec ou sans gaine
Extrait d'acide acétique
Encre de Chine, fusain, craie à dessiner, couleurs de toute sorte en vessies, en tubes, sur coquilles, en pains, et en boîtes
Vernis à la laque (avec addition de résine, de térébenthine, d'huiles minérales, ou d'alcool)

Numéros d'ordre du Tarif Général Autrichien.	Désignation des Marchandises.	Bases.	Nouveau Tarif Conventionnel. Droits en Unités.	
			Autrichiennes.	Françaises.
			Fl. k.	Fr. c.
340	XLVII.— <i>Bougies et Savons.</i>	100 kilog.	12 00	30 00
		"	3 00	7 50
		"	15 00	37 50
341	Bougies et produits fabriqués avec la graisse non spécialement dénommés, tels que produits fabriqués avec la stéarine, le blanc de baleine, l'huile de palme, la paraffine	"	9 00	22 50
342	Savons— (a.) Communs	"	2 50	6 25
343 344	XLVIII.— <i>Matières inflammables.</i>	100 kilog.	5 00	12 50
		"	24 00	60 00
		"	15 00	37 50
348	XLIX.— <i>Objets de Littérature et d'Art.</i> Livres, imprimés, y compris les almanachs, journaux et annonces, cartes scientifiques, musique, papier écrit, actes, et manuscrits	"		Exempt.

444	<p>estampes, d'une à deux, gravées, sur cuivre et sur bois, lithographies, gravées sur bois, photographies, et d'illustrations sur papier. Les livres reliés, les estampes, &c., ou les cartes et dessins sur toile ou sur carton. Lorsque les reliures, d'après leur composition, doivent rentrer dans la quincaillerie, les livres, les estampes, &c., doivent payer comme la quincaillerie. Les reliures, porte-feuilles, cartons, &c., dans lesquelles les livres et les estampes sont placés ou encartés, sont traités séparément d'après la nature de la matière.</p>	..	Exemptes.
353	<p>Les impressions en noir et en couleur, ainsi que les feuilles d'images, produites en gros et dépourvues de valeur artistique, sont également rangées sous le No. 349.</p>	..	Exempte.
ex 353	<p>Engrais de superphosphate</p>	..	Exempte.

L.—Déchets.

ANNEXE (C).

Facilités pour le Commerce de Frontière.

1. Les propriétaires des exploitations agricoles ou des biens fonciers coupés par la frontière pourront transporter en franchise, d'un territoire sur l'autre par les passages naturels indiqués par l'usage ou le genre de l'exploitation, le bétail et les instruments agricoles de cette exploitation, les semences pour leurs terres, les produits de la culture et de l'élevé du bétail, du lieu de leur production aux locaux destinés à les conserver.

2. Les habitants des frontières qui possèdent ou ont affermé de l'autre côté de la frontière des champs et des prés à faire valoir, ou qui s'occupent d'autres travaux agricoles sur l'autre territoire, mais à proximité de leur domicile, jouissent de la franchise de droits pour le transport des semences destinées aux pièces de terre en question, des récoltes de fruits, et des blés en gerbes qui en proviennent, ainsi que pour les bêtes de labour et les instruments de travail nécessaires aux exploitations agricoles.

Suivant les conditions locales et les travaux à exécuter, le passage de la frontière peut avoir lieu par des chemins latéraux, en observant les mesures de précaution qui seront prescrites et à condition que le retour soit effectué le jour même.

3. Les articles ci-dessous dénommés peuvent entrer et sortir librement même par des chemins latéraux, dans le trafic réciproque entre territoires situés de part et d'autre de la frontière, sous observation des mesures prescrites et lorsque les conditions locales rendent la chose désirable et possible :—

Cendres de lessive et résidus pour l'engrais; sable à mortier (commun) et cailloux; ruches avec abeilles vivantes; fumier du bétail; amadou brut; lin et chanvre en tiges; herbe; mousse; joncs; herbes fourragères; fanes; foin; paille et paille hachée, lait. limon, et terre à fouler; argile et terre à potier; tourbe et terre des marais.

4. La franchise de droits est accordée au bétail qui passe la ligne douanière pour être mené au pâturage ou à l'hivernage ou qui en revient, pourvu que son identité soit bien établie. Il en est de même pour les produits de ce bétail tels que le lait, le beurre, le fromage, la laine, et les petits mis bas pendant cette période, si ces produits se trouvent en proportion avec le nombre des têtes de bétail et le temps passé au pâturage.

En tant que les conditions locales l'exigent, le passage de la frontière par des chemins latéraux peut encore être autorisé s'il s'agit d'une période de pâturage plus longue de l'autre côté de la frontière et sous observation des mesures de précaution à prendre dans les circonstances.

L'exemption de droits est également accordée pour le sel, la farine, et le pain apportés par les habitants de la frontière pour leur consommation pendant la période des pâturages; les lieux de pâturage qu'ils exploitent se trouvant de l'autre côté de la frontière.

Les quantités de sel, de farine, et de pain exemptes de droits seront fixées dans la mesure des besoins par les Administrations Douanières des deux Parties.

5. L'exemption de droits est accordée pour le bétail qui est mené provisoirement d'un territoire sur l'autre, en vue de travaux agricoles et qui est ramené ensuite; il en est de même pour les machines et outils agricoles qui sont transportés d'un territoire sur l'autre en vue d'un usage passager, et qui, le travail fini, sont ramenés sur le premier territoire; le contrôle sera fait conformément à la procédure par enregistrement (*Formerkverfahren*).

6. Les habitants des zones frontières apportant du blé, des graines oléagineuses, du chanvre, du lin, du bois, des écorces, et autres produits agricoles analogues, dans le but de les faire moudre, broyer, couper, râper, &c., dans des moulins situés sur l'autre territoire et qui rapportent ces mêmes produits ainsi travaillés sont exempts de tout droit de douane.

En outre, il sera à ce sujet permis de s'écarter des formalités réglementaires en matière de douane, lorsqu'il y a lieu de tenir compte de circonstances locales importantes, et en substituant d'autres mesures pour empêcher la contrebande. Les quantités de produits qui peuvent être réimportés ou qui doivent être ré-exportés, à la place des matières premières, devront être fixés au besoin par une entente des Administrations Douanières des deux Parties.

7. L'exemption de droits de part et d'autre sera étendue en outre aux sacs et récipients ayant servi à importer dans l'État voisin des produits agricoles tels que les grains et autres produits de la terre, le plâtre, la chaux, les boissons, et liquides d'autres espèces, et des articles faisant l'objet d'un commerce de frontière, lorsque ces sacs et récipients sont retournés vides par le même chemin.

8. Seront maintenues les facilités dont jouissent actuellement les habitants des deux côtés de la frontière, en ce qui concerne les besoins d'objets destinés à des réparations ou autres ouvrages d'artisan pouvant être assimilés à des travaux domestiques salariés.

9. Les médicaments préparés que les habitants des frontières prennent en petites quantités correspondant à la situation des intéressés dans des pharmacies voisines et sur l'ordonnance de médecins autorisés à exercer leur art peuvent être importés même sans le consentement des autorités administratives et admis en franchise. Pour les drogues simples utilisées en médecine et pour les préparations pharmaceutiques et chimiques simples, dont la composition est clairement indiquée sur l'enveloppe et qui, d'après les prescriptions en vigueur sur le territoire en question, peuvent être vendues au détail, la production des ordonnances n'est pas exigée.

10. Rien n'est changé aux autres facilités, formalités, et contrôles des relations de frontière.

ANNEXE (D).

Cartel de Douane.

§ 1. CHACUNE des Parties Contractantes s'oblige à coopérer, dans les formes déterminées par les dispositions suivantes, à ce que les contraventions (§§ 13 et 14) aux Lois Douanières de l'autre Partie sont prévenues, découvertes, et punies.

§ 2. Chacune des Parties Contractantes obligera ses fonctionnaires chargés d'empêcher ou de dénoncer les contraventions aux Lois de Douane, dès qu'ils seront informés qu'une contravention aux Lois susdites de l'autre Partie Contractante se prépare ou a déjà été commise, à faire, dans le premier cas, leur possible pour l'empêcher par tous les moyens légaux à leur portée, et dans les deux cas à la dénoncer immédiatement aux autorités Douanières ou aux autorités des Finances de leurs pays, c'est-à-dire dans l'Empire d'Allemagne, les recettes ou les douanes principales; en Autriche-Hongrie, les douanes principales ou les Commissaires de la Garde des Finances.

§ 3. Les autorités de Douane ou des Finances d'une Partie devront faire connaître immédiatement aux autorités de Douane ou des Finances de l'autre

Partie (désignées au § 2) les contraventions aux Lois de Douane de cette dernière qui leur auraient été signalées, et les renseigner sur tous les faits et détails y relatifs, en tant qu'elles auront pu les découvrir.

§ 4.* Les bureaux de perception des Parties Contractantes devront toujours laisser prendre connaissance aux employés supérieurs des Douanes ou des Finances, qui y seront autorisés par l'autre Partie sur leur demande et dans le bureau même, des registres ou parties de registre se rapportant au mouvement commercial entre les États et sur la frontière.

§ 5.* Dans l'intention de prévenir et de découvrir les tentatives de contrebande, les employés des Douanes et des Contributions des districts douaniers de chaque côté de la frontière devront s'aider avec empressement non seulement en se communiquant, dans ce but, dans le plus court délai, leurs observations, mais en entretenant entre eux des rapports de bon voisinage et en prenant de concert, de temps à autre, les mesures les plus propres pour obtenir le résultat en vue.

§ 6.* A l'effet de poursuivre un contrebandier, de saisir les marchandises, ou bien même de rechercher les traces d'une contravention à la Loi de Douane, les autorités des Douanes et des Finances auront le droit d'entrer sur le territoire de l'autre Partie pour réclamer auprès des bureaux locaux ou des autorités les mesures nécessaires à la constatation du fait ou de son auteur et à la démonstration de la preuve, à la réunion de tous les moyens de preuve relatifs à l'exécution ou à la tentative de contravention, et suivant les circonstances, la saisie provisoire des marchandises et l'arrestation du contrevenant.

Les autorités et bureaux locaux de chacune des Parties devront déférer aux demandes de cette nature, comme s'il s'agissait de contravention, présumées ou découvertes, aux Lois de Douane de leur propre pays. De même les employés des Douanes et des Contributions de l'une des Parties pourront, sur requête adressée à l'autorité dont ils relèvent par les autorités compétentes de l'autre Partie, être appelés à déposer par-devant ces autorités ou par-devant l'autorité compétente de leur propre pays, sur les circonstances relatives à la contravention commise.

§ 7. Aucune des Parties Contractantes ne souffrira, sur son propre territoire, des associations ayant pour but la contrebande sur le territoire de l'autre, ni reconnaîtra valables les contrats d'assurance pour la contrebande.

§ 8.* Chacune des Parties Contractantes s'engage à empêcher que les provisions de marchandises qui peuvent être considérées comme destinées à être frauduleusement introduites sur le territoire de l'autre Partie soient accumulées près de la frontière ou qu'elles y soient déposées sans être soumises à des mesures de précaution suffisantes pour prévenir la contrebande.

Dans les districts frontières il ne sera, en règle générale, permis d'établir des dépôts de marchandises étrangères non nationalisées que dans les lieux où se trouvent des bureaux de douane; dans ce cas, l'autorité Douanière mettra sous clefs ces dépôts et les surveillera. Si, dans un cas spécial, il ne peut être procédé à la mise sous clef, on adoptera d'autres mesures de contrôle propres à atteindre, d'une manière aussi sûre que possible, le but visé. Les provisions de marchandises étrangères nationalisées et de marchandises indigènes ne pourront dépasser dans les districts frontières les exigences du commerce licite, c'est-à-dire du commerce proportionné à la consommation locale dans le propre pays. En cas de soupçon que les provisions de marchandises étrangères nationalisées ou de marchandises indigènes dépassent les exigences de la consommation locale et

qu'elles soient destinées à la contrebande, ces dépôts doivent être assujettis, en tant que les lois le permettent, à des contrôles douaniers spéciaux afin de prévenir la contrebande.

§ 9.* Chacune des Parties Contractantes est tenue :—

(a.) De faire refuser par les bureaux des Douanes ou des Contributions le passage des marchandises dont l'importation ou le transit dans les pays de l'autre Partie serait défendu, à moins qu'on ne fournisse la preuve qu'une autorisation particulière a été accordée par cet État.

(b.) De ne faire accorder par les bureaux des Douanes ou des Contributions la sortie des marchandises destinées à l'autre pays et y étant soumises à des droits d'importation :—

(1.) Que dans la direction d'un bureau de Douane correspondant qui soit muni d'attributions suffisantes.

(2.) Les marchandises ne pourront partir des bureaux de sortie ou des lieux de légitimation qu'à certaines heures calculées de manière que les marchandises arrivent de l'autre côté de la frontière pendant les heures réglementaires.

(3.) Cette autorisation ne pourra être accordée qu'à la condition d'éviter tout retard non nécessaire entre le bureau ou le lieu de légitimation et la frontière.

§ 10.* De même, chacune des Parties Contractantes devra libérer les cautions qui lui auront été fournies pour la réexportation des marchandises non nationalisées, devra remettre ou restituer les droits d'entrée ou de consommation pour les marchandises à leur sortie, s'il est prouvé, au moyen d'un certificat du bureau d'entrée de l'autre État, contenant l'enregistrement et la date de l'envoi, que les dites marchandises y ont été déclarées.

§ 11.* Avant l'exécution des dispositions contenues aux Articles 9 (lettre b) et 10, les Parties Contractantes fixeront d'un commun accord le nombre et les attributions des bureaux de perception auxquels les marchandises devront être présentées à leur passage à la frontière commune, les heures auxquelles pourront avoir lieu l'expédition et le passage des marchandises aux dits bureaux, en tant qu'ils se trouvent en relation directe, la manière dont elles auront à être accompagnées, selon les exigences, jusqu'au bureau de l'autre pays, et les mesures particulières à prendre au sujet du commerce se faisant par chemin de fer.

§ 12. Chacune des Parties Contractantes devra interdire, non seulement à ses sujets, mais encore à ceux qui sont établis temporairement sur son territoire ou qui s'y trouvent momentanément, les infractions à la Loi de Douane de l'autre Partie mentionnées aux §§ 13 et 14 sous menace des peines édictées à ces paragraphes. Les Parties Contractantes s'engagent réciproquement à faire surveiller sur leur territoire respectif les sujets de l'autre Partie soupçonnés de faire la contrebande.

Dans ce but chacune des Parties Contractantes est autorisée à envoyer des agents en observation sur les foires, marchés, et même marchés à bestiaux tenus sur le territoire frontière de l'autre Partie; elle peut aussi faire prendre connaissance par ses employés supérieurs de Douanes ou de Finances des procès-verbaux de ces marchés à bestiaux et s'en faire délivrer copie.

§ 13.* Les contraventions aux prohibitions d'entrée, de sortie, et de transit et les fraudes contre les droits de douane ou d'impôt, c'est-à-dire, les actes ou omissions contraires à la loi, consistant à détourner une taxe d'entrée ou de

sortie fixé légalement ou à tenter de la détourner, seront de la part des Parties Contractantes l'objet, à leur choix, de la confiscation de l'objet de la contravention, au besoin, du paiement de la valeur intégrale, en même temps que l'application d'une amende proportionnelle ou des mêmes amendes et peines pécuniaires auxquelles sont soumises les infractions analogues aux Lois de Finances proprement dites.

Dans le dernier cas, le montant de l'amende, en tant que la loi l'a proportionné au montant de la taxe détournée, sera calculé d'après le tarif de l'État dont la Loi de Finances a été violée.

§ 14. Les contraventions aux Lois de Douanes, qui ne seront pas une violation des prohibitions d'importation, d'exportation, ou de transit, ou qui n'auraient pas entraîné une fraude des taxes, tomberont sous le coup d'amendes, dont le montant sera soumis dans certaines limites à l'appréciation du Juge.

§ 15. Le présent cartel n'oblige aucune des Parties Contractantes à instituer des peines privatives de la liberté ou obligeant à un travail forcé (sous réserve du remplacement admis par les Lois de Finances des peines pécuniaires non exécutoires par la prison ou le travail forcé), non plus que des peines dégradantes, ou le retrait d'autorisation d'une industrie, ou, comme peine aggravante, la publication des condamnations encourues.

§ 16. Par contre, les dispositions légales rendues en vertu des paragraphes 12 à 15 ne devront pas exclure ni limiter la répression légale des autres contraventions, crimes et délits survenus à l'occasion de la violation de la Loi de Douane de l'autre Partie, tels que injures, résistance à la loi, menaces ou violences, faux, actes de corruption ou d'exaction, &c.

§ 17.* Sur la demande des autorités compétentes de l'une des Parties Contractantes, chacune de ces Parties devra laisser poursuivre et punir légalement les contraventions à la Loi de Douane de l'autre Partie par les mêmes Tribunaux et dans les mêmes formes que pour les contraventions à sa propre loi :—

(1.) Si l'inculpé est le ressortissant de l'État qui doit le soumettre à la poursuite et à la peine.

(2.) Si, n'étant pas sujet de cet État, il y avait, à l'époque de la contravention, sa demeure, bien que transitoire, et s'y laissait surprendre à ou après l'arrivée de la demande de poursuite.

Il n'y aura toutefois application du cas mentionné au numéro 2 que si l'inculpé n'est pas sujet de l'État dont les lois ont fait l'objet de la contravention poursuivie.

§ 18. En matière de poursuites désignées au paragraphe 17, le Tribunal dans le ressort duquel se sera produite la contravention, ou dans lequel l'inculpé aura son domicile, et, s'il est étranger, sa demeure provisoire, ne sera compétent qu'autant qu'il n'aura pas été déjà commencé de procédure contre l'inculpé pour le même fait devant un autre Tribunal, ou qu'il ne sera pas survenu de décision passée en force de chose jugée.

§ 19. Dans les cas de poursuites désignées au paragraphe 17, les rapports officiels des autorités ou fonctionnaires de l'autre Partie auront la même force de preuve que celle qu'on attribue aux rapports des autorités ou fonctionnaires de l'État en cause dans des cas semblables.

§ 20. Les frais de procès à instruire en vertu du paragraphe 17 et d'exécution de la peine seront fixés et imposés d'après les mêmes bases qui sont

* See Protocol, page 235.

applicables dans l'État intéressé pour les procès entamés contre de semblables contraventions à la loi de cet État.

La dépense provisoire de ces frais sera couverte par l'État dans lequel seront exercées les poursuites.

Les frais de procédure et d'exécution de la peine seront finalement mis à la charge de l'État au profit duquel avaient été exercées des poursuites pour contravention à ses Lois de Finances; s'ils ne sont pas recouvrés sur l'inculpé ou au moyen d'amendes encourues, ils seront remboursés par l'État dont les autorités auront réclamé les poursuites.

§ 21.* Les sommes versées par l'inculpé à l'occasion des poursuites faites d'après le paragraphe 17 ou réalisées par la vente des objets de la contravention seront employées de manière que les frais judiciaires soient remboursés en première ligne; les droits soustraits à l'autre État viendront en deuxième ligne et les peines pécuniaires en troisième.

Ces dernières resteront à la disposition de l'État dans lequel le procès a eu lieu.

§ 22.* On devra se désister du procès instruit en vertu du paragraphe 17 aussitôt que l'autorité de l'État qui l'a provoqué en fera la demande, à moins qu'il n'ait été déjà rendu un arrêt définitif, passé en chose jugée.

§ 23. Le droit de remettre ou d'adoucir les peines auxquelles l'inculpé aura été condamné par suite du procès intenté en vertu du paragraphe 17, ou auxquelles il se sera offert volontairement, appartiendra à l'État devant les Tribunaux duquel la condamnation ou la présentation aura eu lieu.

Toutefois, avant que ces remises ou ces adoucissements de peines soient prononcés, il sera donné occasion à l'autorité compétente de l'État dont les lois auraient été violées de se prononcer à cet égard.

§ 24. Les Tribunaux de chacune des Parties Contractantes devront, quant aux procès instruits dans l'autre pays, soit pour contravention aux Lois de Douane de ce pays, soit par suite de la procédure instruite conformément au paragraphe 17, sur la demande du Tribunal compétent—

(1.) Interroger, en cas de besoin, sous serment, les témoins et experts qui se trouvent dans le ressort de leur juridiction, et, au besoin, astreindre les premiers à rendre leur témoignage, à moins qu'il ne puisse être réfuté d'après les lois du pays: par exemple, s'il concerne la complicité des témoins ou s'étend à des circonstances qui n'ont pas de rapport direct avec l'inculpation;

(2.) Procéder d'office à des visites et en certifier les résultats;

(3.) Faire intimer des citations et des arrêts aux inculpés qui se trouveraient dans le district de l'autorité requise et qui ne seraient pas sujets de l'État dont elle relève;

(4.) Arrêter et livrer les contrevenants et saisir leurs biens meubles qui seront trouvés dans le ressort du Tribunal requis ou faire vendre les marchandises mises sous séquestre et en employer le produit au remboursement des frais qui auront été faits, si ces contrevenants ne sont pas sujets de l'État dont relève le Tribunal saisi ou n'appartiennent pas à un État tiers qui s'est obligé par Traité à poursuivre de son côté et à punir la contravention constatée.

§ 25. Dans le présent cartel on entend aussi par Lois de Douane les défenses d'entrée, de sortie et de transit, et par autorités judiciaires celles instituées dans chacun des deux Pays Contractants pour la poursuite et la punition des contraventions à leurs lois particulières sur la matière.

* See Protocol, page 235.

§ 26. Les dispositions précédentes n'abrogent ni ne modifient aucunement les autres concessions convenues entre les deux Parties Contractantes en vue de la répression de la contrebande.

ANNEXE (E).

(Modèle.)

Pour servir d'Acte de Légitimation auprès des Autorités compétentes.

IL est certifié par la présente que le sieur _____, qui a l'intention de visiter avec ses articles de fabrication (produits) les foires et marchés en Autriche-Hongrie, en Allemagne, est domicilié à _____ et qu'il acquitte dans son pays les droits et taxes réglementaires afférents à son industrie.

Le présent certificat sera valable pour un délai de _____ mois.

(Endroit, date, signature, et sceau de l'autorité qui délivre la carte.)

(Signalement, domicile, et signature de l'industriel.)

ANNEXE (F).

(Modèle.)

Carte de Légitimation pour Voyageurs de Commerce.

Pour l'année 18 _____

No. de la Carte: _____

(Armes.)

Valable en Autriche-Hongrie, Allemagne, et Luxembourg.

Titulaire.

(Nom et prénoms.)

(Nom de l'endroit), le _____

, 18 _____

(Autorité.)

(Signature.)

IL est certifié par la présente que le porteur de cette carte possède [*nature de la fabrique ou du commerce*] sous la raison sociale _____.

Est au service de la maison de commerce de _____ en qualité de voyageur de commerce, et que cette maison fait le commerce [*possède une fabrique*] de [*désignation de la fabrique ou du commerce*], à _____.

Le porteur ayant l'intention de recueillir des commandes et de faire des achats pour le compte de cette raison sociale et pour d'autres suivantes [*nature de la fabrique ou du commerce*], à _____.

Il est certifié que les taxes réglementairement dues pour l'exercice de l'industrie de cette maison sont acquittées dans le pays.

Désignation de la Personne du Porteur.

Age : _____
 Taille : _____
 Cheveux : _____
 Signes particuliers : _____

(Signature.)

Nota.—Pour les doubles lignes du formulaire, où l'on devra conserver l'espace suffisant, on remplira la supérieure ou inférieure, suivant le cas.

Observation.

Le porteur de la présente 'carte de légitimation' est autorisé à recueillir des commandes et à faire des achats de marchandises, mais exclusivement en voyageant et seulement pour compte de la dite raison. Il pourra apporter avec lui des échantillons, mais non des marchandises. Il devra se conformer aux règlements en vigueur dans chaque État.

PROTOCOLE FINAL.

Au moment de procéder à la signature du Traité de Commerce et de Douane conclu entre l'Autriche-Hongrie et l'Empire Allemand, les Plénipotentiaires soussignés ont inséré dans le présent Protocole les observations, déclarations, et réserves suivantes :—

Add. à l'Article I.—Le transit du sel d'origine Allemande à travers la Monarchie Austro-Hongroise et par la voie du Danube peut s'effectuer sous les conditions suivantes sans autre formalité :—

(a.) L'expédition des envois parvenus au bureau de douane d'entrée a lieu en procédant par déclaration, mais sous réserve que ces envois pourront être soumis à une visite intérieure et que dans les cas de présomption de fraude ou de rupture du scellé apposé par les autorités Allemandes chargées de la perception de l'impôt, il pourra y avoir lieu à une pesée extraordinaire de l'envoi.

(b.) Le bureau d'entrée de la douane sera obligé de déterminer chaque fois un délai suffisant pour effectuer le transit par le Danube au moyen des transports à vapeur, délai qui sera calculé d'après l'état momentané des eaux.

En cas de retards arrivés sans aucune faute et déclarés immédiatement à l'autorité des Finances la plus rapprochée et particulièrement à une autorité Hongroise, il en sera tenu un compte raisonnable.

(c.) Pour les envois en transit il sera déposé au bureau de Douane d'entrée une caution du montant des taxes d'importation qui seront dues, et cela soit en argent comptant, soit en valeurs de papier susceptibles de servir de caution.

Il appartiendra aux Ministères des Finances des deux pays de

décider si, à la place de cette caution, on pourra admettre la fixation d'une bonification, et cette concession pourra être prorogée, dès le début, d'un cas à un autre.

(d.) La susdite caution sera remboursée à la Partie, si le fait de l'entrée dans le pays étranger désigné est démontré au moyen de certificats de douane. A l'égard du sel sortant par le Bureau Royal de Douane d'Orsova, il suffira du certificat de sortie réglementaire et immédiate.

Les certificats douaniers précités seront présentés par la voie du bureau douanier de sortie compétent au Ministère Hongrois des Finances, qui s'entendra avec le Ministère Impérial des Finances pour le remboursement immédiat de la caution, s'il a été satisfait au règlement.

Le transit des eaux-mères de Kreuznach et des déchets de sel de Stassfurt par l'Autriche-Hongrie sera permis par exception, sans autorisation préalable de transit, aux conditions suivantes :—

(a.) Tout envoi sera vérifié par le bureau de perception des sels établi à Kreuznach ou bien par celui de Stassfurt, placé sous scellé administratif et expédié avec le passavant I.

(b.) Si le scellé administratif est trouvé intact et que les passavants ne donnent lieu à aucun soupçon de fraude, l'expédition en transit à travers l'Autriche-Hongrie sera exécutée de suite dans le bureau d'entrée de Douane Autrichienne.

(c.) Aussitôt après la constatation de l'état intact du scellé administratif, le bureau de sortie de la Douane Austro-Hongroise laissera sortir l'expédition par la frontière et fera sur-le-champ le nécessaire pour le remboursement de la caution qui aura été déposée.

(d.) Ces facilités ne s'appliqueront pas aux expéditions de déchets de sel de Stassfurt, pour lesquels a lieu, en Autriche-Hongrie, une décharge intermédiaire.

3. La réserve exprimée à l'Article I, lettre (b), s'étend aussi aux mesures de prévoyance prises pour la protection de l'agriculture contre l'invasion et le développement des insectes nuisibles (comme le phylloxera et le *doryphora decemlineata*).

4. Les Parties Contractantes se communiqueront réciproquement toutes les restrictions au trafic qu'elles auront rendues en vue de la police sanitaire.

1. *Add. à l'Article III.*—Les faveurs des Tarifs (A) et (B) sont aussi établies pour les marchandises provenant des pays réciproques situés en dehors des frontières de douane, si ces marchandises ou matières ayant servi à les fabriquer sur ces territoires ont été produites dans le pays auquel appartient le territoire excepté, ou y sont entrées en franchise, et si elles étaient munies d'un certificat d'origine qui sera décrit.

2. Les Parties Contractantes sont convenues qu'il ne sera pas établi, sans le consentement de l'autre Partie, de remises de droits plus étendues pour les articles qui continuent à jouir, depuis l'entrée en vigueur du Traité, des exemptions de droits à l'importation par mer, non plus que pour d'autres articles des exemptions nouvelles à l'importation par mer.

Cependant, pour les articles qui continuent, depuis l'entrée en vigueur du Traité, à jouir, sur le territoire de l'autre Partie, d'une exemption de droits à l'importation par mer, il sera permis à chacune des Parties Contractantes d'établir à son gré, sur son propre territoire, des exemptions de droits favorisant l'importation par mer, dans la même proportion centésimale existant sur le territoire de l'autre Partie.

Add. à l'Annexe (A) du Tarif (Importation dans le territoire douanier Allemand).—L'interprétation des positions énumérées dans l'Annexe (A) se fera d'après leur portée actuelle, en conformité du Tarif Général de Douane en vigueur dans le territoire Allemand au moment de la signature du présent Traité, sauf les exceptions qui y ont été stipulées.

1. *Add. au No. 5 (m).*—Le tanin (acide tannique) rentre dans le No. 5 (m).

2. *Add. aux Nos. 10 (e) et (f).*—Le verre irisé est soumis aux droits du verre coloré, de couleur naturelle.

3. *Add. au No. 18 (f), 2.*—Les chapeaux de feutre dont la forme ou la garniture ne permet pas de reconnaître si ce sont des chapeaux d'homme ou de dame seront traités comme chapeaux d'homme d'après le No. 18 (f), 2.

4. *Add. au No. 20 (b), 1.*—Les ouvrages en tout ou en partie en ambre, jais, écume de mer et de nacre de perle, même combinés avec d'autres matières, seront taxés au taux abaissé de 150 marks, en tant qu'ils ne rentrent pas dans le No. 20 (a).

5. *Add. au No. 25 (e), 1.*—Ne seront admis comme vins de coupage au droit modéré de 10 marks par 100 kilog. que les vins rouges naturels et les moûts de ces vins qui contiennent au moins 12 pour cent d'alcool, ou l'équivalent en sucre de fruit, et donnant par litre pour 100 degrés Celse au moins 28 grammes d'extrait sec, pourvu qu'ils soient employés réellement au coupage, sous le contrôle déterminé par le Conseil Fédéral.

On doit considérer comme coupage le mélange de vin blanc avec du vin ou du moût de la qualité précédemment désignée en une quantité qui n'est pas moindre que 60 pour cent et le coupage du vin rouge avec du vin semblable ou du moût en une quantité ne dépassant pas 33½ pour cent du mélange total.

6. *Add. au No. 25 (f).*—Le beurre salé et fondu rentre dans le droit convenu pour le beurre.

7. *Add. au No. 27 (b).*—Les imitations de carton-cuir, pâte de bois brunie (produit de carton en filaments de bois qui a reçu sous l'action de la vapeur une coloration brune, semblable au cuir) seront traitées d'après le No. 27 (b).

8. *Add. au No. 38 (c).*—La poterie ordinaire de Znaïm est soumise à son importation dans l'Empire Allemand, et conformément à la position 38 (c), au droit de 1 mark par 100 kilogram.

9. *Add. au No. 40 (a).*—Les tissus cirés (tissus cirés grossiers) imbibés de vernis à l'huile ou d'une composition oléique (mélange d'huile et de caoutchouc) et toile à couvrir, c'est-à-dire toile grossière imbibée de composition oléique (mélange d'huile et de caoutchouc), imbibée ou recouverte de vernis à l'huile, de goudron ou de substances métalliques (solution de vert-de-gris) et autres tissus grossiers, préparés de la même manière, sont soumis également au droit modéré du No. 40 (a).

4. *Annexe (B) au Tarif (Importation dans le territoire de douane Austro-Hongrois).*—L'interprétation des positions énumérées dans l'Annexe (B) se fera d'après leur portée actuelle en conformité avec le Tarif Général de Douane en vigueur dans le territoire douanier Austro-Hongrois au moment de la signature du Traité, sauf les exceptions qui y ont été stipulées.

1. *Add. au No. 64.*—Les graines de vers à soie resteront exemptes.

2. *Add. au No. 70.*—L'huile de noyaux de palme solide rentre sous le No. 70.

3. *Add. au No. 73.*—Ne sont pas compris sous le No. 73 les vernis à l'huile.

4. *Add. au No. 77.*—Le vin connu sous le nom de "vermout" suit le régime des vins purs appliqué aux autres États qui jouissent du traitement de la nation la plus favorisée.

5. *Add. au No. 84.*—Les cervelas et salamis sont compris sous le No. 84 avec le droit réduit de 16 florins.

6. *Add. au No. 87.*—Les poissons en saumure rentrent sous le No. 87.

7. *Add. au No. 88.*—Ne rentrent pas sous le No. 88 les poissons y indiqués, en tant qu'ils seront présentés en boîtes de fer-blanc et similaires fermées hermétiquement, de même que ces articles autrement préparés ou marinés dans des boîtes, bouteilles, ou verres et similaires.

8. *Add. aux Nos. 92 et 93.*—Les biscuits (cakes) et les oublies rentrent sous les Nos. 92 et 93.

9. *Add. au No. 102.*—Ne sont comprises dans les pierres sciées inscrites au No. 102 que les pierres qui ne présentent de travail à la scie que sur trois côtés au plus.

10. *Add. au No. 103 (b), 2.*—Le manganèse et la craie blanche,

moulus et lavée, seront admis en franchise du droit d'après le No. 108 (b), 2.

11. *Add. aux Nos. 106 et 107.*—Ne rentrent pas sous les Nos. 106 et 107 les eaux et huiles y énumérées, en tant qu'elles seront présentées dans des récipients avec étiquettes, instructions pour l'usage et similaires, par lesquelles elles sont caractérisées comme parfumerie.

12. *Add. au No. 113.*—L'indigo artificiel, présentant la même composition que l'indigo naturel, sera tarifé comme ce dernier.

13. *Add. au No. 146.*—Sous les guipures rentrant sous le No. 146 et soumises au droit des dentelles, on n'entendra pas les guipures tissées ou tricotées; ces deux espèces de guipures rentrent dans la passementerie ou la bonneterie inscrites au No. 147.

14. *Add. au No. 169 (b).*—Seront reconnues comme étoffes de soie pure, unies et armures, celles qui présentent une surface unie et régulière formée simplement par un croisement de fils de chaîne et de trame, se répétant d'après un certain nombre limité de fils et qui peuvent être fabriquées par l'emploi simultané de plusieurs lisses, c'est-à-dire les taffetas et toutes les armures, comme : satins, sergés, surahs, merveilleux, ottomans, marquises, gros de Suez, failles Françaises, levantines, reps, gros de Tours, armures-piquets, &c. Toutes les étoffes qui ne présentent pas une surface unie et régulière et sont formées par la combinaison de deux ou plusieurs différentes armures séparées, soit par des effets de chaîne (comme les pékins), soit par des effets de trame (comme tous les barrés), et en outre toutes les étoffes quadrillées et barrées montrant des effets produits par différentes trames, les moirés, les gaufrés et toutes les étoffes imprimées soit sur chaîne, soit sur étoffe portant parmi les façonnés.

On considère comme façonnées toutes les étoffes qui montrent et présentent un dessin formé par toute espèce de combinaisons d'un nombre illimité de fils de chaîne et de trame et qui sont fabriquées par la machine Jacquard. Les velours de toute sorte, les rubans et les gazes, seront traitées comme les façonnés.

15. *Add. au No. 170.*—On entend par étoffes de demi-soie non seulement les tissus mélangés de soie (y compris la soie tussah) et de coton, mais encore les tissus mélangés de soie (y compris la soie tussah) et de laine, ainsi que ceux fabriqués de soie (y compris la soie tussah) et de matières textiles mélangées.

16. *Add. au No. 191.*—Le papier à lignes transparentes (régulé dans la pâte) n'est pas considéré comme du papier pressé (No. 192, a), mais sera tarifé comme le papier réglé d'après le No. 191.

17. *Add. au No. 195.*—Les poupées ou parties de poupées en pâtes de papier, finies, peintes, laquées, même en combinaison avec

d'autres matières, en tant qu'elles ne rentrent pas dans les ouvrages de cuir ou dans la mercerie plus fortement taxés, ne bénéficient pas du droit réduit conventionnel, mais sont soumises au droit inscrit au No. 195.

18. *Add. aux Nos. 220 et 221.*—Les imitations de pelleteries fines, obtenues au moyen de l'apprêt ou de la teinture des pelleteries ordinaires, seront soumises aux droits réduits inscrits aux Nos. 220 (a) et 221 (a).

La pelleterie artificielle de toute sorte, faite de plumes, sera tarifée d'après le droit inscrit au No. 221 (b) du Tarif.

19. *Add. aux Nos. 240, 241, et 242.*—La verrerie irisée sera tarifée comme verrerie de couleur.

20. *Add. au No. 245 (c).*—Les crayons d'ardoise naturelle, recouverts de papier, seront traités d'après le No. 245 (c).

21. *Add. au No. 252 (b).*—La poterie commune de la Haute Lusace et celle dite de Bunzlau sera soumise à l'importation sur le territoire douanier Austro-Hongrois d'après le No. 252 (b) au droit de 50 kreutzer par 100 kilog.

22. *Add. au No. 256.*—Les cruches en grès avec couvercles de métaux communs non dorés ni argentés fin seront tarifées comme la poterie combinée d'autres matières, au droit réduit du No. 256, pourvu que le poids du couvercle ne dépasse pas le poids de la cruche.

23. *Add. au No. 259 (a).*—Le fer en barres plates à profil bombé avec côtés étroits rentre dans le fer non façonné.

Sont entendus sous le terme : *Zagel aus abgeschweisstem Schweisseisen* les *Zagel* (plaques de tôles) produits au moyen de la soudure des lampes, des milbars, des paquets de fer ébauché au laminoir (*Roschienenpackete*) ou des paquets de débris de fer (dits *Schwitzpackete*).

24. *Add. au No. 271.*—Les ouvrages de fer et d'acier fixement matés, damassés (ornementés) ou gravés, non spécialement dénommés, acquitteront le droit inscrit au No. 271 pour les ouvrages de fer et d'acier polis.

25. *Add. au No. 298.*—La franchise des droits pour les instruments de précision pour usages scientifiques est accordée non seulement à des établissements publics, mais encore à toute personne qui prouve, par un certificat de l'autorité compétente, que les instruments à importer sont destinés pour servir dans ses études scientifiques, à l'exclusion toutefois de leur emploi dans un métier, dans une profession ou dans le commerce.

26. *Add. au No. 323.*—Jouiront du droit concédé pour les lessives à blanchir non seulement l'hypochlorite de soude (eau de Labarraque) et l'hypochlorite de potasse (eau de javelle), mais encore les solutions aqueuses de potasse et de soude caustique, de bisulfite de chaux et de

sulfite de soude ou de l'acide sulfureux, de même que le bioxyde d'hydrogène.

27. *Add. au No. 328.*—L'amidon brillant ou l'amidon double, c'est-à-dire l'amidon préparé avec la stéarine, le borax, la cire et d'autres matières, rentre dans le No. 328, pourvu qu'il ne soit pas parfumé.

28. *Add. aux Nos. 348 et 349.*—Les reliures appartenant à la mercerie sont, entre autres, les reliures en soie, en velours, en ivoire, en écaille. Les livres, y compris ceux à estampes ou à images, s'ils sont reliés en toile ou en acier, seront admis en franchise.

Les impressions et la dorure sur tranches sont indifférentes au point de vue de la tarification des livres reliés.

Il est entendu de même que les reliures qui, d'après leur nature, ne sont pas rangées dans la mercerie ne seront pas soumises au régime de la mercerie par la seule raison qu'elles portent des fermoirs et des garnitures en métaux communs, finement dorés ou argentés. Il ne sera donc pas tenu compte de ces accessoires dans la tarification.

Add. à l'Article V du Traité.—En ce qui concerne les marchandises transportées de l'un des deux territoires sur les foires et marchés de l'autre ou expédiées par une vente annuelle en dehors des foires et marchés et qui auront été réimportées dans un délai déterminé d'avance, ainsi qu'en ce qui concerne les échantillons apportés par les voyageurs de commerce, les prescriptions réglementaires actuellement applicables dans chacun des deux États restent en vigueur.

Quant au bétail conduit aux marchés de l'autre État et ramené invendu, toutes facilités seront accordées des deux parts pour son expédition en douane. Afin d'en établir l'identité, il suffira habituellement d'indiquer l'espèce, le nombre, et la couleur du bétail, ainsi que les signes qui lui seront particuliers.

Add. à l'Article VI du Traité.—1. A l'égard des faveurs de douane, pour lesquelles se présentent les expressions de "zone frontière" et "d'habitant des frontières," on reconnaît comme zones frontières les parties du territoire auxquelles s'appliquent actuellement les dites faveurs. En cas de modifications dans l'étendue des zones frontières, les faveurs de douane s'appliqueront à un rayon de 10 kilom. à partir de la frontière. Toutefois les autorités locales pourront, avec l'assentiment des autorités de l'autre État Contractant, accorder des exceptions par certaines zones, suivant les besoins locaux.

2. En vue de faciliter le trafic d'importation réciproque, mais sous réserve de prononcer par une localité la suppression ou la limitation de cette faveur, en cas d'abus, on admettra en franchise :—

Le beurre, même artificiel, en quantités ne dépassant pas 2 kilog. ;

La viande, abattue, fraîche ou préparée, en quantités ne dépassant pas 2 kilog. ;

Les produits de la meunerie provenant de grains ou de légumineuses, les articles de boulangerie (pain) en quantités ne dépassant pas 2 kilog. ;

Les dites marchandises non-importées par la poste pour les habitants du district frontière.

Toutefois chacune des Parties Contractantes se réserve le droit de supprimer en tout ou en partie les faveurs convenues sous le No. 2, à toute époque, après en avoir opéré la dénonciation six mois d'avance.

Add. aux Articles V, VI, et VII du Traité.—Les facilités dont il est question dans les Articles V, VI, et VII sont également applicables au trafic fait par le Lac de Constance, sur l'observation des mesures de contrôle établies dans l'Arrangement intervenu le 20 Février, 1854, entre l'Autriche, la Bavière, et le Wurtemberg, et le Grand-Duché de Bade.

Les Parties Contractantes se réservent le droit de procéder à une revision de l'Arrangement précité en ce qui concerne les dispositions qui, par suite de circonstances, ont besoin de subir des modifications.

1. *Add. à l'Article VII du Traité.*—Les facilités indiquées dans l'Article VII sont soumises aux conditions suivantes :—

(a.) Les marchandises destinées à être expédiées plus loin avec permis de circulation, mais non par une circulation définitive, devront être déclarées au bureau d'entrée et être accompagnées d'un bulletin officiel qui indiquera que, dans le lieu d'expédition, elles ont reçu le cachet administratif.

(b.) On devra vérifier si ce cachet est intact.

(c.) La déclaration devra être faite conformément aux règlements et de façon qu'une vérification spéciale ne soit pas rendue nécessaire par suite d'omissions, et qu'il ne s'élève aucun soupçon de fraude.

Si l'on a la conviction que le cachet qui a été apposé dans le territoire de la Partie Contractante est intact, le déchargement et le pesage des marchandises n'auront pas lieu.

2. Si le besoin s'en fait sentir dans quelques localités en Allemagne, les entrepreneurs de transport des marchandises seront autorisés à faire usage des entrepôts publics. La même faveur est accordée à l'Autriche-Hongrie.

Add. à l'Article VIII du Traité.—1. Les bureaux frontières réciproques existant actuellement dans une même localité sont maintenus. Toutefois, les États intéressés restent libres de faire

cesser cet état de choses, après dénonciation préalable faite six mois à l'avance.

L'établissement de nouveaux bureaux réciproques ne pourra avoir lieu qu'après entente entre l'Autriche et les États Allemands intéressés.

2. On devra, en outre, veiller à établir la plus grande concordance possible dans les attributions d'expéditions des bureaux de Douane des deux États.

L'extension exceptionnelle de la compétence de certains bureaux sera soumise à une entente spéciale entre les Gouvernements intéressés.

3. En ce qui concerne l'emplacement et les attributions des bureaux de Douane établis sur le territoire de l'autre Partie Contractante, on est convenu des stipulations suivantes :—

(a.) Tout bureau de Douane placé d'abord sur le territoire de l'État auquel il appartient, puis transféré sur le sol de l'autre État, conservera le nom de son lieu d'origine, en y joignant celui de sa nouvelle résidence. Les bureaux nouvellement établis sur le territoire de l'autre Partie Contractante prendront le nom du lieu d'origine.

(b.) Les barrières porteront les couleurs nationales du territoire sur lequel elles se trouveront ; l'écusson du bureau de Douane représentera les couleurs et les armes du pays auquel il appartiendra.

(c.) Le maintien du bon ordre appartiendra au chef du bureau territorial.

(d.) Le Gouvernement de l'État sur le territoire duquel se trouvent les bureaux de Douane veillera à ce que les dits bureaux ne soient pas gênés dans l'expédition de leurs affaires courantes, et que la sécurité de leurs papiers et de leur caisse ne rencontre aucun obstacle.

(e.) Les employés et préposés des Douanes et des Contributions des deux États qui se trouvent à quelque service prévu par le Traité en uniforme réglementaire sur le territoire étranger sont exempts du paiement des droits de passage par eau et par terre, et de péage de ponts perçus au profit de l'État, comme les employés et préposés du dit État. Par contre, ils ne peuvent prétendre à l'exemption des taxes analogues de communications dont la perception a été concédée à des Sociétés, Corporations, et communes, que dans la limite où elle a été accordée par les tarifs en vigueur.

(f.) Il est expressément reconnu que, en établissant dans un même lieu les bureaux de Douane des deux États, on a eu en vue, autant que possible, une expédition simultanée des affaires de ces bureaux, mais non une communauté réglementaire d'expédition, et que par suite, abstraction faite des cas d'affluence de trafic et des

instructions que les deux Administrations de Douane ont à donner d'un commun accord, chacun des deux bureaux ne doit s'occuper que des travaux qui lui incombent comme bureau d'entrée ou de sortie, et non participer aux travaux analogues de l'autre bureau.

(g.) Sont maintenues les stipulations actuellement en vigueur :—

Sur le règlement de la situation des fonctionnaires et préposés des bureaux de Douane établis sur le territoire de l'État voisin ;

Sur la conduite des fonctionnaires et préposés à la surveillance réciproque des Douanes dans leurs rapports avec les fonctionnaires et préposés aux bureaux de surveillance de l'État voisin ;

Sur le logement des fonctionnaires d'un État installés sur le territoire de l'autre et sur le loyer à payer à cet effet ;

Sur les frais de nettoyage et de chauffage des bureaux réunis ;

Sur l'installation, l'entretien, l'éclairage, la fermeture et l'ouverture des barrières établies auprès de l'Administration ;

Sur les droits et devoirs des employés des bureaux de Douane installés sur le territoire de l'État voisin, auxquels ont été accordés des logements dans un édifice de l'État voisin ;

Sur les expéditions en douane les Dimanches et jours de fête ;

Sur l'entrée en franchise réciproque des uniformes et pièces d'équipement des employés.

Le service de passage de la frontière sera réglé par chacune des Parties Contractantes d'après les prescriptions existantes sur son territoire et conformément aux arrangements spéciaux pris entre les Parties.

Add. à l'Article X du Traité et du Cartel de Douane.—1. *Add. § 4 du Cartel de Douane.*—Seront compris au nombre des fonctionnaires supérieurs des Douanes ou des Finances, autorisés à prendre connaissance dans les bureaux de perception du territoire opposé des registres ou des parties de registres, se rapportant au mouvement commercial entre les deux pays et sur la frontière, et de les examiner ainsi que les pièces à l'appui pour prendre des notes, en Autriche-Hongrie, les chefs des bureaux principaux des Douanes, les Commissaires principaux et Commissaires de Surveillance des Finances ; en Allemagne, les membres des bureaux principaux et les Contrôleurs supérieurs.

Add. au paragraphe 5 du Cartel de Douane.—Il est reconnu comme hors de doute que les douaniers (corps de surveillance des finances) se prêteront réciproquement assistance en vue d'empêcher et de découvrir la contrebande, et se communiqueront dans ce but leurs observations à cet égard. Toutefois, il est entendu sur ce point que les conférences à tenir en vue d'une entente pour une coopération commune n'auront lieu qu'entre fonctionnaires supérieurs des Douanes et des Finances.

Add. au paragraphe 6 du Cartel de Douane.—Il est établi que si

des employés des Douanes ou des Finances, de chaque côté de la frontière, se transportent sur le territoire de l'autre, en vue de poursuivre un contrebandier, des marchandises ou les traces d'une contravention à la loi de douane d'une Partie Contractante, sur le territoire de l'autre, ils devront se borner uniquement à réclamer auprès des autorités de Police du lieu, ou auprès des autorités Douanières, les mesures nécessaires pour la constatation du fait ou l'identité de l'auteur, et pour en assurer la preuve, la réunion de tous les moyens de preuve de l'infraction douanière exécutée ou de sa tentative, et, suivant les circonstances, la saisie provisoire des marchandises et l'arrestation des auteurs; mais, par contre, les dits employés ne devront pas, sur le territoire étranger, arrêter la personne de l'auteur, ni saisir les objets de la contravention, ni faire usage de leurs armes. Mais si ces employés étaient, dans leur poursuite, forcés, par des attaques violentes sur leur personne, de faire usage de leurs armes sur territoire étranger pour leur défense personnelle, les autorités du pays où le fait se sera produit auront à examiner si, d'après les lois en vigueur, l'emploi des armes a été nécessaire d'une façon générale ou pour repousser des attaques violentes.

4. *Add. aux paragraphes 6 et 11 du Cartel de Douane.*—Si les employés des Douanes et des Finances des deux pays passent sur le territoire de l'autre Partie dans un but désigné aux paragraphes 6 et 11 du Cartel de Douane, ils pourront également être armés comme il est prescrit par l'exercice de leur service dans leur propre pays.

5. *Add. au paragraphe 8 du Cartel de Douane.*—Tout le temps que les marchandises étrangères qui n'auront pas acquitté les droits resteront dans l'endroit du district frontière où se trouveront les bureaux de Douane et seront déposées dans les entrepôts de Douane, ou y attendront sous un contrôle permettant d'empêcher toute fraude, il suffira pour l'exécution des dispositions contenues au paragraphe 8, et après avertissement des autorités Douanières, de contrôler dans la forme admise légalement les entrepôts susdits ainsi que les approvisionnements de marchandises étrangères soumises aux droits, et de marchandises indigènes, à l'intérieur du district frontière, en tenant compte des intérêts douaniers de l'autre Partie.

6. *Add. au paragraphe 9 du Cartel de Douane.*—Pour l'exécution de la stipulation 9, lettre (a), on devra déclarer spécialement aux bureaux réciproques les articles dont l'importation et le transit sont interdits dans le territoire voisin ou qui sont soumis à une autorisation spéciale.

Add. au paragraphe 10 du Cartel de Douane.—D'après l'Article 10 du Cartel de Douane, il y aura lieu à la décharge des garanties présentées en vue de la réexportation des marchandises qui n'auront

pas acquitté les droits, et les remises ou remboursements des droits remboursables à l'exportation seront effectués aussitôt qu'il sera établi, par un certificat délivrable par le bureau d'entrée, que la marchandise exportée du territoire Allemand en Autriche et réciproquement a été déclarée.

Pour l'exécution de cette disposition, il sera fait usage de la procédure jusqu'ici en vigueur concurremment avec les prescriptions suivantes :—

(a.) Pour le transport par les voies ordinaires, où les bureaux de Douane des deux pays procèdent réglementairement à l'expédition de sortie ou d'entrée, la transmission a lieu en vue de la délivrance d'un bulletin de déclaration dressé sur les papiers d'expédition qui accompagnent les marchandises et proviennent de bureau frontière de l'État faisant la sortie à l'adresse du bureau frontière de l'État qui fait l'entrée. Ce dernier délivre le bulletin de déclaration après apposition du timbre administratif et de la signature du chef de bureau avec ces mots : " Déclaré et enregistré sous le No. du registre."

(b.) Pour le transport par chemin de fer, la même procédure est applicable, même si l'expédition de sortie s'opère dans un bureau de l'intérieur et l'expédition d'entrée dans un bureau frontière, ou l'expédition de sortie dans un bureau frontière et l'expédition d'entrée dans un bureau de l'intérieur, ou bien l'expédition de sortie et d'entrée, également des deux côtés, dans un bureau de l'intérieur.

Dans le cas d'expédition d'entrée opérée dans un bureau de l'intérieur, en même temps que celui-ci connaît des marchandises transmises par voie de déclaration et entrées directement dans le commerce, le bureau frontière de l'État où a lieu l'entrée, se basant sur les papiers d'expédition communiqués par le bureau frontière de l'État qui fait la sortie, mentionne en bonne place de la liste de chargement le bureau de l'État de sortie qui a opéré l'expédition de sortie, le registre et le numéro du registre sur lequel la marchandise a été inscrite. Ainsi pour un lot de marchandises, à destination de Vienne, arrivé à Breslau avec passavant, puis expédié à la sortie par Oderberg, le bureau frontière Autrichien d'Oderberg, qui expédie les marchandises pour leur décharge à Vienne par voie de déclaration, se basera sur le passavant communiqué par le bureau frontière Prussien d'Oderberg et mentionnera sur la feuille de chargement l'observation suivante :—

" Trafic direct de Breslau, passavant-registro de réception No. ."

En même temps que le bureau d'expédition de sortie, dès le retour des papiers d'expédition certifiés par déclaration par le bureau frontière de l'État d'importation, fera mention du bureau de

l'Etat, qui procédera à l'expédition d'entrée, le bureau frontière procédant à l'entrée rédigera le certificat de déclaration concernant les marchandises déchargées par lui sur un bureau de l'intérieur, en ces termes :—

“ Déclaré sur la liste de chargement No. et déchargé avec bulletin de déclaration No. pour .”

Dans les bureaux réunis au même endroit, qui doivent expédier un trafic important par chemin de fer, il suffira que les bureaux d'entrée constatent la réception des marchandises non libérées par l'apposition du cachet administratif sur les lettres d'expédition de l'autre Partie.

(c.) Pour le transport par la poste, l'expédition des marchandises pourra avoir lieu par les voitures postales ordinaires ou par chemin de fer; le bureau douanier de l'Etat de sortie procédera à l'expédition de sortie des marchandises passant en trafic direct. Le scellé qui devra être examiné sera maintenu sur chaque colis postal, et le bureau frontière de sortie le certifiera sur la déclaration des marchandises destinée au bureau frontière d'entrée, en apposant le cachet administratif en ces termes :—

Piomb } scellé de N. N. laissé intact.
Sceau }

De cette façon tous les colis postaux arrivant en trafic direct de l'Etat de sortie parviennent au bureau frontière d'entrée avec le scellé administratif et avec la déclaration à l'entrée certifiée officiellement; et si l'expédition d'entrée réglementaire ne doit pas s'y faire, ils sont déchargés au bureau compétent de l'intérieur. De même ce bureau transmet les feuilles d'expédition du bureau de sortie au bureau frontière d'entrée, qui les timbre pour visa de déclaration d'entrée et les renvoie immédiatement.

Dans les bureaux de Douane réunis au même endroit, au chemin de fer et particulièrement là où un passage direct des postes a lieu dans les wagons-poste, sans déchargement des colis postaux, et où ceux-ci arrivent soit sous scellé particulier, soit sous fermeture commune ou bien, suivant le cas, sont expédiés plus loin, il est entendu qu'il pourra être fait abstraction du certificat de la fermeture par le bureau de sortie, en se référant seulement aux déclarations de marchandises destinées au bureau frontière d'entrée; il suffira que le bureau de sortie adresse les feuilles d'expédition en douane au bureau d'entrée pour les examiner et les timbrer aussitôt après l'arrivée de la poste.

3. *Add. à l'Article 11 du Cartel de Douane.*—L'entente sur les points mentionnés au paragraphe 11 reste réservée à des négociations entre l'Autriche et les États Allemands voisins.

L'expédition en douane des transports de bétail par chemins de

fer sur les frontières réciproques sera activée et facilitée le plus possible. Après déclaration préalable et sur la proposition spéciale des Administrations de Chemins de Fer, et si les circonstances n'y sont pas contraires, elle pourra être exécutée même de nuit, s'il y a concordance avec l'exécution complète du service.

9. *Add. au paragraphe 13 du Cartel de Douane.*—D'après le paragraphe 13 du Cartel de Douane, les contraventions aux prohibitions d'importation, d'exportation, et de transit de l'autre Partie seront punies au moins des mêmes peines auxquelles sont soumises les contraventions analogues aux lois de finances de cet État.

Il a été entendu que dans les États où des contraventions aux défenses d'importation, d'exportation, et de transit ne devront pas être considérées comme des violations aux lois de finances, il y aura lieu d'appliquer non pas les peines établies pour la protection de ces lois, mais celles de la loi pénale, indépendamment de la poursuite à exercer d'après la loi de douane, au cas où se présentera en même temps une infraction à la Douane.

10. *Add. au paragraphe 17 du Cartel de Douane.*—Les propositions d'intenter une poursuite peuvent, en Autriche-Hongrie, émaner des Directions de District des Finances, des Directions des Finances, et des Inspecteurs des Finances, et, en Allemagne, des fonctionnaires supérieurs.

Les autorités réciproques pourront s'adresser des propositions pour qu'il soit pris des mesures ultérieures.

11. *Add. au paragraphe 21 du Cartel de Douane.*—Indépendamment de la peine, il y aura lieu d'exiger du contrevenant les droits fraudés, y compris les droits de licence.

12. *Add. au paragraphe 22 du Cartel de Douane.*—La disposition de l'alinéa 3 du paragraphe 20 relatif aux frais à supporter s'appliquera également dans le cas prévu ici d'une suspension de poursuite.

Add. à l'Article XI du Traité.—Il est entendu que la jouissance de la pêche nationale est exclue des dispositions du Traité.

L'égalité du régime stipulée par les navires de commerce et leur chargement dans les ports des deux États ne s'étend pas—

(a.) Aux primes qui sont ou pourraient être accordées aux navires de commerce nouvellement construits, en tant que celles-ci ne consistent pas dans la franchise ou dans la diminution des droits de port ou de douane;

(b.) Aux privilèges des yacht-clubs qui appartiennent aux États tiers.

Add. à l'Article XV du Traité.—Les Parties Contractantes se soutiendront réciproquement sur le terrain des tarifs de chemins de fer, et particulièrement par l'établissement de tarifs directs de transport.

Elles sont convenues d'accorder également pour l'expédition, sur les mêmes lignes ferrées et dans la même direction, aux transports réciproques passant du territoire d'une Partie sur celui de l'autre Partie ou en transit, des tarifs de transport, des abaissements de tarifs et autres avantages qui seraient assurés aux produits des deux pays soit par les tarifs, soit par des ordonnances spéciales ou des arrangements, en tant qu'il ne s'agirait pas de questions d'intérêt public.

En conséquence, dans le cas d'interruption sur les voies d'expédition, les frais de transport résultant de tarifs locaux et de jonction seront, sur la demande de l'autre Partie, calculés d'après les tarifs directs.

1. *Add. aux Articles XVI et XVIII du Traité.*—Les dispositions contenues dans les Articles XVI et XVIII s'étendent au cas où un transbordement est nécessité par la diversité de lignes de chemins de fer. Bien qu'elles ne puissent s'appliquer à d'autres transbordements de transports par chemins de fer, il est cependant reconnu que, là où un transbordement est nécessité par le très grand éloignement des lieux de chargement ou de déchargement, on ne saurait se refuser à l'extension de ces faveurs, s'il s'agit d'un transbordement proprement dit.

2. Les envois postaux qui sont expédiés ou qui transitent par chemins de fer du territoire de l'une des Parties Contractantes dans l'autre, et dont l'expédition est faite dans des colis parfaitement clos et dont le nombre, le contenu, et le poids brut peuvent être facilement constatés par les papiers postaux accessibles aux autorités Douanières, sont exemptés de toute déclaration ou de l'examen, aussi bien à l'intérieur qu'à la frontière, ainsi que toute apposition de scellés, lorsqu'ils ne sont que transbordés d'un chemin de fer sur un autre.

L'indication du contenu des colis postaux n'est pas exigée pour ceux qui sont expédiés par la poste internationale.

3. Il est entendu que l'exemption de vérification stipulée dans le 2^e alinéa de l'Article XVIII et dans l'alinéa 2 qui précède n'est point applicable aux marchandises transitant par chemins de fer, ni aux colis postaux, s'il y a des signes ou des présomptions de violation des dispositions douanières.

4. L'expédition en douane du trafic réciproque par chemins de fer doit avoir lieu comme auparavant, d'après les dispositions contenues dans l'Annexe (C) du Protocole d'exécution du Traité du 11 Avril, 1865. Il en résulte que les facilités de trafic de chemins de fer existant entre l'Autriche-Hongrie et les États Allemands, en tant qu'elles sont plus étendues que les dispositions précitées, doivent continuer à exister.

De même, les prescriptions contenues dans l'Annexe (D) (Proto-

cole d'exécution de 1865) sur l'emploi du scellé dans les transports maritimes doivent demeurer en vigueur jusqu'à nouvelle réglementation.

Add. à l'Article XIX du Traité.—En ce qui concerne le trafic des foires et marchés, on est convenu d'arrêter, d'après l'Annexe (E), la forme de la légitimation qui devra être produite par les sujets de l'un des États Contractants qui voudront profiter de la faveur contenue dans le premier paragraphe de l'Article XIX. Les autorités désignées à l'alinéa 2 sont chargées de l'établissement de cette légitimation.

Les industriels qui voudront faire des achats ou placer des marchandises sur le territoire de l'autre État Contractant n'auront aucun droit à payer dans cet État, s'ils sont munis de cartes de légitimation de leur industrie délivrées par les autorités de leur pays d'origine.

La rédaction de ces cartes sera faite conformément au modèle contenu dans l'Annexe (D).

La délivrance de ces cartes a lieu par les soins des autorités qui sont chargées, d'après les Conventions actuelles, de remettre les passeports. Chacune des Parties Contractantes pourra, suivant sa convenance, fixer un droit pour l'expédition des dites cartes.

Pour empêcher toute confusion et toute fraude, les cartes devront être établies d'après un modèle uniforme pour l'Allemagne et pour l'Autriche-Hongrie; elles différeront des passeports par le format et la couleur; elles auront chaque année une couleur différente, et seront d'une dimension qui permettra de les porter avec soi.

Les industriels (voyageurs de commerce) munis de cartes de légitimation pourront transporter avec eux des échantillons, mais point de marchandises. Ils pourront seuls conclure des affaires ou servir d'intermédiaires, mais ils ne pourront recevoir de commandes ou acheter des marchandises que dans le cours des voyages qu'ils feront. Ils devront observer les prescriptions en vigueur dans chaque État.

Add. aux Articles XX et XXI du Traité.—On entend par le titre de Consuls tous les fonctionnaires chargés de la direction d'un Consulat. La Partie Contractante aux sujets de laquelle le Consul de l'autre Partie aura procuré, conformément à l'Article XXI, aide et protection, est obligée de rembourser les frais et déboursés d'après le tarif adopté par la Partie, qui a institué le Consul, pour ses nationaux.

Add. à l'Article XXII du Traité.—Il a été entendu sur cet Article qu'on n'a pas compris dans les bureaux de Douane, auxquels les Parties Contractantes se sont donné le droit d'envoyer des employés dans le but énoncé à l'alinéa 1^{er} de l'Article XXII, les autorités des Directions de Douane (en Autriche-Hongrie les Direc-

tions Provinciales des Finances et les Directions Ordinaires des Finances; en Allemagne, les Directions de Douane), mais qu'on doit entendre sous ce titre les autorités de district (en Autriche-Hongrie, les Directions des Finances, les Inspecteurs des Finances; en Allemagne, les bureaux principaux avec les autorités Douanières locales subordonnées).

De même, il a été entendu à cet égard que chaque Gouvernement conservera le droit de déterminer les places de douane de l'autre territoire douanier auxquelles il compte envoyer des employés dans le but reconnu par Convention, mais qu'il serait nécessaire d'informer d'abord le Gouvernement intéressé de la personnalité des employés qui seront envoyés et du choix des places de douane où ils doivent se rendre.

Add. à l'Article XXV du Traité.—Les Plénipotentiaires sont convenus que le présent Protocole sera soumis en même temps que le Traité aux Parties Contractantes, et qu'en cas de ratification du dit Traité les éclaircissements et explications contenus dans ce Protocole sont considérés comme approuvés sans autre ratification formelle.

Le présent Protocole a été fait en double expédition.

Fait à Vienne, le 6 Décembre, 1891.

REUSS.
KÁLNOKY.

SPANISH NOTE, denouncing the Commercial Convention between Great Britain and Spain of April 26, 1886.—January 27, 1891.*

Marquis de Casa Laiglesia to the Marquess of Salisbury.

(Translation.)

MY LORD,

London, January 27, 1891.

IN accordance with instructions I have received to-day, I have the honour to inform your Lordship that the Government of the Queen-Regent have resolved to denounce the Convention concluded between Spain and England on the 26th April, 1886,* and have charged me to say, when communicating this decision to your Lordship, that they are ready to enter into negotiations for the conclusion of a new Treaty of Commerce.

In accordance with this Resolution, and in view of Article V

* Vol. LXXVII, page 48.

of the denounced Convention, the effects of it must be considered to terminate on the 30th June, 1892.

I have, &c.,

The Marquess of Salisbury.

MARQUES DE CASA LAIGLESIA.

In consequence of this note, the following Notification was inserted in the "London Gazette" of the 3rd February, 1891:—

Foreign Office, January 31, 1891.

"The Spanish Ambassador at this Court has given notice, on behalf of his Government, to terminate the Commercial Convention of the 26th April, 1886, between Great Britain and Spain, which will accordingly expire on the 30th June, 1892."

SWISS NOTIFICATION of the Accession of New Zealand and Queensland to the Industrial Property Convention of March 20, 1883.—Berne, September 7, 1891.*

Her Majesty's Minister at Berne to the President of the Swiss Confederation.

M. LE PRÉSIDENT,

Berne, September 7, 1891.

IN accordance with instructions which I have received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform your Excellency that the Colonies of New Zealand and Queensland have expressed their desire to be included in the stipulations of the International Convention for the Protection of Industrial Property of the 20th March, 1883.

In notifying to your Excellency the accession of these Colonies, I have the honour to request that I may be informed when the necessary formalities have been completed.

I have, &c.,

M. Wetti.

C. S. SCOTT.

* Vol. LXXIV, page 44.

*BRITISH LETTERS PATENT, for the Annexation of the
Great Basses Rock and the Little Basses Rock to the Island
of Ceylon.—Westminster, June 30, 1891.**

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, Empress of India: To all to whom these presents shall come, greeting:

WHEREAS the rocks known as the Great Basses Rock and the Little Basses Rock, situated in the Indian Ocean near the coasts of our Island of Ceylon, are part of our dominions, and it is expedient that the said rocks should be annexed to and be dependencies of our said island:

Now we do hereby declare that from and after the Proclamation of these our Letters Patent in our Island of Ceylon, the said Great Basses Rock and Little Basses Rock shall be annexed to and become dependencies of our said Island of Ceylon, and shall be subject to the laws from time to time in force in our said island.

2. And we do hereby further declare that from and after such Proclamation as aforesaid all such powers of government and legislation as are from time to time vested in our Governor and Commander-in-chief of our said island and its dependencies, or the person for the time being administering the Government thereof, and in the Legislative Council thereof, shall apply and extend to the said Great Basses Rock and Little Basses Rock as fully as if they had at all times been dependencies of our said island.

3. We do hereby reserve to us, our heirs and successors, full power and authority from time to time to revoke, alter, or amend these our Letters Patent as to us or them shall seem meet.

4. And we do further direct and enjoin that these our Letters Patent shall be read and proclaimed at such places within our said Island of Ceylon as our said Governor and Commander-in-chief shall think fit.

In witness whereof we have caused these our letters to be made patent. Witness ourself at Westminster, the 30th day of June, in the 55th year of our reign.

By warrant under the Queen's Sign-Manual.

MUIR MACKENZIE.

* Notified in the "London Gazette" of July 7, 1891.

ACT of Congress of the United States, in amendment to the various Acts relative to Immigration and the Importation of Aliens under Contract or Agreement to perform Labour.

[Chap. 551.]

[March 3, 1891.]

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled that the following classes of aliens shall be excluded from admission into the United States, in accordance with the existing Acts regulating immigration, other than those concerning Chinese labourers: All idiots, insane persons, paupers or persons likely to become a public charge, persons suffering from a loathsome or a dangerous contagious disease, persons who have been convicted of a felony or other infamous crime or misdemeanour involving moral turpitude, polygamists, and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown on special inquiry that such person does not belong to one of the foregoing excluded classes, or to the class of contract labourers excluded by the Act of the 26th February, 1885;* but this section shall not be held to exclude persons living in the United States from sending for a relative or friend who is not of the excluded classes under such regulations as the Secretary of the Treasury may prescribe: Provided, that nothing in this Act shall be construed to apply to or exclude persons convicted of a political offence, notwithstanding said political offence may be designated as a "felony, crime, infamous crime, or misdemeanour, involving moral turpitude" by the laws of the land whence he came or by the Court convicting.

§ 2. That no suit or proceeding for violations of said Act of the 26th February, 1885, prohibiting the importation and migration of foreigners under contract or agreement to perform labour, shall be settled, compromised, or discontinued without the consent of the Court entered of record with reasons therefor.

§ 3. That it shall be deemed a violation of said Act of the 26th February, 1885, to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under a contract as contemplated by such Act; and the penalties by said Act imposed shall be applicable in such a case: Provided this section shall not apply to States and Immigration Bureaus of States advertising the inducements they offer for immigration to such States.

* Vol. LXXVII, page 127.

§ 4. That no steam-ship or transportation Company or owners of vessels shall directly, or through agents, either by writing, printing, or oral representations, solicit, invite, or encourage the immigration of any alien into the United States except by ordinary commercial letters, circulars, advertisements, or oral representations, stating the sailings of their vessels and the terms and facilities of transportation therein; and for a violation of this provision any such steam-ship or transportation Company, and any such owners of vessels, and the agents by them employed, shall be subjected to the penalties imposed by the 3rd section of said Act of the 26th February, 1885, for violations of the provision of the first section of said Act.

§ 5. That section 5 of said Act of the 26th February, 1885, shall be, and hereby is, amended by adding to the second proviso in said section the words "nor to ministers of any religious denomination, nor persons belonging to any recognized profession, nor professors of colleges or seminaries," and by excluding from the second proviso of said section the words "or any relative or personal friend."

§ 6. That any person who shall bring into or land in the United States by vessel or otherwise, or who shall aid to bring into or land in the United States by vessel or otherwise, any alien not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanour, and shall, on conviction, be punished by a fine not exceeding 1,000 dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

§ 7. That the office of Superintendent of Immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be 4,000 dollars per annum, payable monthly. The Superintendent of Immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of the Treasury, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of the Treasury shall require. The Secretary shall provide the Superintendent with a suitable furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk, at a salary of 2,000 dollars per annum, and two first-class clerks.

§ 8. That upon the arrival by water at any place within the United States of any alien immigrants it shall be the duty of the Commanding Officer and the agents of the steam or sailing-vessel by which they came, to report the name, nationality, last residence, and destination of every such alien, before any of them are landed, to the proper inspection officers, who shall thereupon go or send competent assistants on board such vessel, and there inspect all

such aliens, or the inspection officers may order a temporary removal of such aliens for examination at a designated time and place, and then and there detain them until a thorough inspection is made. But such removal shall not be considered a landing during the pendency of such examination. The medical examination shall be made by surgeons of the Marine Hospital Service. In cases where the services of a Marine Hospital surgeon cannot be obtained without causing unreasonable delay, the inspector may cause an alien to be examined by a civil surgeon, and the Secretary of the Treasury shall fix the compensation for such examination. The inspection officers and their assistants shall have power to administer oaths, and to take and consider testimony touching the right of any such aliens to enter the United States, all of which shall be entered of record. During such inspection after temporary removal the Superintendent shall cause such aliens to be properly housed, fed, and cared for, and also, in his discretion, such as are delayed in proceeding to their destination after inspection. All decisions made by the inspection officers or their assistants touching the right of any alien to land, when adverse to such right, shall be final, unless appeal be taken to the Superintendent of Immigration, whose action shall be subject to review by the Secretary of the Treasury. It shall be the duty of the aforesaid officers and agents of such vessel to adopt due precautions to prevent the landing of any alien immigrant at any place or time other than that designated by the inspection officers, and any such officer or agent or person in charge of such vessel who shall either knowingly or negligently land, or permit to land, any alien immigrant at any place or time other than that designated by the inspection officers shall be deemed guilty of a misdemeanour, and punished by a fine not exceeding 1,000 dollars, or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment.

That the Secretary of the Treasury may prescribe rules for inspection along the borders of Canada, British Columbia, and Mexico so as not to obstruct or unnecessarily delay, impede, or annoy passengers in ordinary travel between said countries: Provided that not exceeding one inspector shall be appointed for each customs district, and whose salary shall not exceed 1,200 dollars per year.

All duties imposed and powers conferred by the 2nd section of the Act of the 3rd August, 1882, upon State Commissioners, Boards, or officers acting under contract with the Secretary of the Treasury shall be performed and exercised, as occasion may arise, by the inspection officers of the United States.

§ 9. That for the preservation of the peace, and in order that arrests may be made for crimes under the laws of the States where

the various United States' immigrant stations are located, the officials in charge of such stations, as occasion may require, shall admit therein the proper State and Municipal officers charged with the enforcement of such laws, and for the purposes of this section the jurisdiction of such officers and of the local Courts shall extend over such stations.

§ 10. That all aliens who may unlawfully come to the United States shall, if practicable, be immediately sent back on the vessel by which they were brought in. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessel on which such aliens came; and if any master, agent, consignee, or owner of such vessel shall refuse to receive back on board the vessel such aliens, or shall neglect to detain them thereon, or shall refuse or neglect to return them to the port from which they came, or to pay the cost of their maintenance while on land, such master, agent, consignee, or owner shall be deemed guilty of a misdemeanour, and shall be punished by a fine not less than 300 dollars for each and every offence; and any such vessel shall not have clearance from any port of the United States while any such fine is unpaid.

§ 11. That any alien who shall come into the United States in violation of law may be returned as by law provided, at any time within one year thereafter, at the expense of the person or persons, vessel, transportation Company, or Corporation bringing such alien into the United States, and if that cannot be done, then at the expense of the United States; and any alien who becomes a public charge within one year after his arrival in the United States from causes existing prior to his landing therein shall be deemed to have come in violation of law, and shall be returned as aforesaid.

§ 12. That nothing contained in this Act shall be construed to affect any prosecution or other proceeding, criminal or civil, begun under any existing Act or any Acts hereby amended, but such prosecution or other proceedings, criminal or civil, shall proceed as if this Act had not been passed.

§ 13. That the Circuit and District Courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act; and this Act shall go into effect on the 1st day of April, 1891.

Approved, March 3, 1891.

PROVISIONAL COMMERCIAL AGREEMENT *between Italy and Bulgaria.—Sophia, October 1891.*

No. 1.—The Italian Diplomatic Agent at Sophia to the Bulgarian Minister for Foreign Affairs.

Sophia, le 20 Octobre, 1891.

LE Soussigné, N. Charles Albert des Comtes de Gerbaix de Sonnaz, Agent Diplomatique et Consul-Général d'Italie, dûment autorisé à cet effet, a l'honneur de communiquer à son Excellence le Ministre des Affaires Étrangères de Bulgarie, qu'en attendant qu'un Arrangement Commercial définitif soit conclu, le Gouvernement Royal d'Italie prendra les dispositions nécessaires afin que les marchandises Bulgares, à l'entrée dans le Royaume, soient, à partir du 1^{er} Novembre, 1891 (N. S.), et jusqu'au 13 Janvier, 1893 (N. S.), (1^{er} Janvier V. S.), soumises au régime douanier qui s'applique aux provenances des pays jouissant du traitement de la nation la plus favorisée.

En priant son Excellence de vouloir bien nous confirmer, dans sa réponse, que les ordres nécessaires seront donnés afin que réciproquement les marchandises Italiennes soient traitées, à l'entrée en Bulgarie, sur le même pied que celles des pays les plus favorisés, le Soussigné saisit cette occasion pour offrir, &c.,

GERBAIX DE SONNAZ.

No. 2.—The Bulgarian Minister for Foreign Affairs to the Italian Diplomatic Agent at Sophia.

Sophia, le 19 Octobre, 1891.

EN prenant acte de la communication que M. N. Charles Albert des Comtes de Gerbaix de Sonnaz, Agent Diplomatique et Consul-Général d'Italie, a bien voulu lui faire par sa note du 20 de ce mois (N. S.), au sujet du régime douanier qui sera appliqué en Italie aux marchandises Bulgares, le Soussigné, D. Grécoff, Ministre des Affaires Étrangères et des Cultes, et par intérim de la Justice, a l'honneur de porter, au nom du Gouvernement Bulgare, à la connaissance de M. le Comte de Gerbaix de Sonnaz que les ordres nécessaires seront donnés pour que les marchandises Italiennes soient traitées, à l'entrée en Bulgarie, sur le même pied que celles des pays les plus favorisés. Ces marchandises seront par conséquent soumises, à partir du ^{20 Octobre}_{1 Novembre}, 1891, jusqu'au 13 Janvier, 1893, au

droits de douane stipulés dans l'Arrangement Anglo-Bulgare du 14 Novembre, 1889.*

Le Soussigné saisit cette occasion pour offrir, &c.,

GRÉCOFF.

TRAITÉ de Commerce et de Navigation entre l'Allemagne et l'Italie.—Signé à Rome, le 6 Décembre, 1891.

[Ratifications échangées à Rome, le 30 Janvier, 1892.]

Sa Majesté le Roi d'Italie d'une part, Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Germanique, d'autre part, animés du désir de resserrer les relations commerciales et maritimes entre les deux États, ont résolu de remplacer le Traité de Commerce et de Navigation du 4 Mai, 1883,† aujourd'hui en vigueur, par un nouveau Traité de Commerce, des Douanes, et de Navigation dont la plus longue durée permettra tout à la fois de développer entre les deux États l'échange des produits de leur sol et de leur industrie, et de créer des rapports commerciaux avec les autres pays sur les mêmes bases; et à cet effet ont entamé des négociations et ont nommé pour leurs Plénipotentiaires respectifs, savoir :

Sa Majesté le Roi d'Italie, son Excellence M. le Marquis Antonio Starrabba di Rudini, Chevalier Grand-Croix, décoré du Grand Cordon des Ordres des Saints Maurice et Lazare et de la Couronne d'Italie, décoré de la Médaille d'Or à la valeur militaire, Député au Parlement, son Président du Conseil et Ministre des Affaires Étrangères; M. Giacomo Malvano, Grand-Officier des Ordres des Saints Maurice et Lazare et de la Couronne d'Italie, Commandeur avec plaque de l'Ordre de François-Joseph d'Autriche, Conseiller d'État, Secrétaire-Général du Ministère des Affaires Étrangères; M. Nicola Miraglia, Grand-Officier des Ordres des Saints Maurice et Lazare et de la Couronne d'Italie, Commandeur avec plaque de l'Ordre de François-Joseph d'Autriche, Directeur-Général de l'Agriculture au Ministère de l'Agriculture, de l'Industrie, et du Commerce; M. Bonaldo Stringher, Commandeur de l'Ordre de la Couronne d'Italie, Officier de l'Ordre des Saints Maurice et Lazare, Commandeur de l'Ordre de François-Joseph d'Autriche, Inspecteur-Général au Ministère des Finances; M. Antonio Monzilli, Commandeur de l'Ordre des Saints Maurice et

* Vol. LXXXI, page 629.

† Vol. LXXIV, page 955.

Lazare et de la Couronne d'Italie, Directeur du Commerce et du Ministère de l'Agriculture, de l'Industrie, et du Commerce; et

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, son Excellence Everard, Comte de Solms-Sonnenwalde, décoré des Ordres Prussiens de l'Aigle Rouge de première classe, de la Couronne de première classe, et de la Croix de Fer de deuxième classe, Chevalier du Grand-Croix, décoré du Grand Cordon des Saints Maurice et Lazare, son Conseiller Intime Actuel, son Ambassadeur Extraordinaire Plénipotentiaire près Sa Majesté le Roi d'Italie;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu le Traité de Commerce, de Douanes, et de Navigation ci-après:—

ART. I. Il y aura pleine et entière liberté de commerce et de navigation entre les Parties Contractantes.

Les sujets de chacune des Parties Contractantes jouiront, sur le territoire de l'autre Partie, des mêmes droits, privilèges, et faveurs de toute sorte, en matière de commerce, d'industrie, et de navigation, qui sont ou seront accordés aux nationaux ou aux sujets de la nation la plus favorisée; ils ne seront soumis à aucune taxe, contribution, charge, ou patente, générale ou locale, de quelque nature qu'elle soit, autre ou plus élevée que celles auxquelles sont soumis les nationaux ou les sujets de la nation la plus favorisée.

Les dispositions ci-dessus ne seront point applicables aux pharmaciens, aux courtiers publics, aux colporteurs, et à toutes les personnes exerçant une industrie ambulante; ces industriels jouiront du traitement de la nation la plus favorisée accordé aux personnes exerçant ces mêmes industries.

II.* Les sujets de chacune des Parties Contractantes jouiront dans toute leur plénitude et sans distinction de nationalité, sur le territoire de l'autre Partie, de tous les droits civils (non compris les droits politiques) accordés aux nationaux.

Ils auront, en conséquence, comme les nationaux, le droit d'acquiescer et de posséder des biens mobiliers ou immobiliers de toute espèce, comme aussi d'en disposer par vente, échange, donation, testament, ou de toute autre manière; ils auront également le droit de recueillir des successions par testament ou *ab intestat*.

Dans aucun de ces cas, ils ne seront soumis à des taxes ou impositions autres ou plus élevées que celles dont sont frappés les nationaux.

III. Les Allemands en Italie et les Italiens en Allemagne seront entièrement libres de régler leurs affaires comme les nationaux soit en personne, soit par le moyen d'un intermédiaire choisi par eux, sans être obligés de payer des pourboires ou indemnités à telle ou telle personne dont ils ne voudraient pas se servir, et sans être

* See Protocol, page 298.

à cet égard, frappés de restrictions autres que celles qui sont établies par la législation générale du pays.

Ils auront libre accès aux Tribunaux de Justice, tant pour faire valoir leurs droits que pour les défendre ; ils jouiront à cet égard de tous les privilèges et immunités des nationaux, et pourront, comme ceux-ci, se servir, à tous les degrés de juridiction, du ministère des avocats, avoués, ou agents reconnus par les lois du pays.

IV. Les sujets de chacune des Parties Contractantes seront exempts, sur le territoire de l'autre, de tout service militaire, soit sur terre, soit sur mer, dans la troupe régulière ou dans la milice. Ils seront dispensés également de toute fonction officielle obligatoire, soit judiciaire, soit administrative ou municipale, du logement de soldats, de toute contribution de guerre, de toute réquisition ou prestation militaire, de quelque sorte que ce soit, à l'exception des charges provenant de la possession ou de la location des immeubles et des prestations et réquisitions militaires, qui seront supportées également par tous les sujets du pays, à titre de propriétaires ou de locataires de biens immeubles.

Ils ne pourront ni personnellement, ni par rapport à leurs propriétés mobilières ou immobilières, être assujettis à d'autres devoirs, restrictions, taxes, ou impôts qu'à ceux auxquels seront soumis les nationaux.

V. Les négociants d'une des Parties Contractantes voyageant par eux-mêmes ou faisant voyager sur le territoire de l'autre Partie leurs commis, agents, ou autres représentants, soit dans le but de faire des achats ou de recevoir des commissions, soit dans l'intérêt général de leur commerce ou de leur industrie, les dits négociants et leurs représentants ne pourront être soumis de ce chef à aucune augmentation de taxe ou d'impôt, à condition de justifier de leur qualité de voyageurs de commerce par la présentation d'un certificat de légitimation délivré par l'autorité compétente de leur propre pays.

Les articles passibles de droits de douane importés comme échantillons par les négociants, par les fabricants, ou par les voyageurs de commerce, seront, de part et d'autre, admis en franchise tant à l'entrée qu'à la sortie, à condition d'être réexportés, sans avoir été vendus, dans les délais établis par les lois du pays, et sous réserve de l'accomplissement des formalités douanières exigées pour la réexportation ou la rentrée en entrepôt.

La réexportation des échantillons sera garantie, dans les deux pays, aussitôt leur arrivée dans un bureau autorisé à l'entrée ; cette garantie se fera soit en déposant le montant des droits, soit en fournissant une caution.

VI. Les Parties Contractantes s'engagent à n'entraver nullement le commerce réciproque des deux pays par des prohibitions

à l'importation, à l'exportation, ou au transit, qui ne soient applicables en même temps à toutes les autres nations, ou à celles des autres nations qui se trouveraient dans des conditions identiques.

Toutefois, malgré les dispositions ci-dessus, l'exportation des provisions de guerre pourra être prohibée dans des circonstances particulières.

VII.* Les produits du sol ou de l'industrie de l'Italie inscrits dans le Tarif (A) annexé au présent Traité seront soumis, à leur entrée en Allemagne, aux droits établis par ce Tarif.

Les produits du sol ou de l'industrie de l'Allemagne inscrits au Tarif (B) annexé au présent Traité seront soumis, à leur entrée en Italie, aux droits établis par ce Tarif.

Chacune des deux Parties Contractantes s'engage, pour ce qui concerne l'importation et l'exportation des marchandises dénommées ou non dénommées au présent Traité, à faire profiter sans plus et immédiatement l'autre partie de toute faveur, de tout privilège, ou diminution de droits d'entrée et de sortie qui aura été ou sera accordé par elle à une tierce Puissance.

VIII. Les certificats d'origine et tous autres certificats exigés par la Douane dans l'intérêt du fisc et de l'hygiène ou comme mesure préventive seront délivrés et légalisés gratuitement par les autorités compétentes.

IX. Quant au montant, à la garantie et à la perception des droits d'importation et d'exportation, comme en ce qui concerne le transit, l'entrepôt, les taxes locales, et les formalités, le traitement, et l'expédition en douane, les droits intérieurs de consommation, et d'accise de toute espèce perçus au profit de l'État, d'une commune ou d'une corporation, chacune des Parties Contractantes s'engage à faire profiter l'autre de toutes faveurs, privilèges, ou diminutions dans les Tarifs qu'elle pourra avoir accordés à une tierce Puissance.

De même, toute facilité ou immunité accordée plus tard à une tierce Puissance sera étendue immédiatement, et sans conditions, à l'autre Partie Contractante.

X. Les droits internes de production, de fabrication, ou de consommation qui grèvent ou grèveraient les produits d'une des Parties Contractantes, soit pour le compte de l'Etat, soit pour le compte des Administrations Municipales ou Corporations, ne pourront frapper, sous aucun prétexte, ni d'un taux plus élevé, ni d'une manière plus onéreuse, les produits similaires provenant de l'autre Partie Contractante.

XI.* Seront considérés comme navires Allemands ou navires Italiens tous ceux qui seront reconnus navires Allemands par les lois de l'Empire Allemand, ou navire Italiens par les lois Italiennes.

* See Protocol, page 298.

XII. Les marchandises de toute nature et provenance dont l'importation, l'exportation, le transit, ou l'entrepôt sont autorisés sur le territoire de l'une des Parties Contractantes par navires nationaux pourront également être importées, exportées, passer en transit, ou être mises en entrepôt par les navires de l'autre partie, sans être frappées de droits de douane autres ou plus élevés, ou de restrictions autres ou plus fortes, et elles jouiront des mêmes privilèges, réductions, bonifications, ou restitutions que ceux dont elles bénéficient à leur importation, exportation, transit, ou entrepôt par navires nationaux.

XIII. Les navires de l'une des Parties Contractantes entrés sur lest ou chargés dans les ports de l'autre partie ou en sortant, seront traités, à tous égards, quels que soient leur point de départ et leur lieu de destination, sur le pied des navires nationaux. Ils ne seront soumis, tant à l'entrée que pendant leur séjour et à la sortie, à des droits de phare, de tonnage, de pilotage, de port, de remorque, de quarantaine, ou à d'autres droits sur le corps du navire, sous quelque dénomination que ce soit, perçus au nom et au profit de l'État, des fonctionnaires publics, des communes, ou d'établissements quels qu'ils soient, autres ou plus élevés que ceux qui sont actuellement ou pourront être établis dans la suite sur les bâtiments nationaux.

En ce qui concerne l'ancrage des navires, leur chargement et déchargement dans les ports, rades, baies, et bassins, et en général pour toutes les formalités et dispositions auxquelles peuvent être soumises les navires de commerce, leur équipage et leur cargaison, il est entendu qu'il ne sera accordé aux navires nationaux aucun privilège ni aucune faveur qui ne le soit également aux navires de l'autre Partie ; l'intention des Parties Contractantes étant que, même à cet égard, leurs bâtiments soient traités sur un pied de parfaite égalité.

XIV. Quant au cabotage, chacune des Parties Contractantes aura droit pour ses navires à tous les privilèges et faveurs que l'autre Partie a accordés ou accordera, à cet égard, à une tierce Puissance, à condition qu'elle accorde les mêmes faveurs et privilèges aux navires de l'autre Partie Contractante sur son territoire.

Les navires de chacune des Parties Contractantes entrant dans un des ports de l'autre Partie, soit pour compléter leur chargement, soit pour en décharger une partie, pourront, en se conformant toutefois aux lois et règlements du pays, conserver à bord la partie de la cargaison destinée à un autre port tant du même pays que d'un autre, et la réexporter sans être obligés de payer aucune taxe pour cette partie de la cargaison, sauf les droits de surveillance, lesquels d'ailleurs ne pourront être perçus que dans la mesure fixée pour la navigation nationale.

XV. Le présent Traité est applicable aux pays ou provinces qui sont actuellement ou seront dans l'avenir compris dans une Union Douanière avec l'une des Parties Contractantes.

XVI. Le présent Traité est destiné à remplacer le Traité de Commerce et de Navigation conclu entre l'Italie et l'Empire d'Allemagne le 4 Mai, 1883.

Il entrera en vigueur le 1^{er} Février, 1892, et restera exécutoire jusqu'au 31 Décembre, 1903.

Dans le cas où aucune des deux Parties Contractantes n'aurait notifié, 12 mois avant la fin de la dite période, son intention d'en faire cesser les effets, il demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des deux Parties Contractantes l'aura dénoncé.

XVII.* Le présent Traité sera ratifié, et les ratifications en seront échangées à Rome le plus tôt possible.

En foi de quoi les Plénipotentiaires respectifs l'ont signé et y ont apposé le sceau de leurs armes.

Fait à Rome, le 6 Décembre, 1891.

(L.S.) RUDINI.

(L.S.) G. MALVANO.

(L.S.) N. MIRAGLIA.

(L.S.) B. STRINGHER.

(L.S.) A. MONZILLI.

(L.S.) GRAF E. SOLMS.

* See Protocol, page 298.

TABLE (A) *—*Droits d'Entrée en Allemagne.*

Numéros correspondant à ceux du Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
ex 1	Déchets et débris—			
2	(b.) Son touraillon .. .. .	..	
	Coton (fils et tissus)—			
	(c.) Fils de coton, purs ou mélangés de lin, de soie, de laine, ou d'autres matières végétales ou animales—			
	4. A trois bouts et plus, à simple ou double torsion, écrus, blanchis, et teints .. .. .	..	
	5. A deux bouts, à double torsion, écrus, blanchis, teints ; y compris le fil à coudre de toute sorte, préparé pour la vente au détail ..	100 kilog.	48 00	60 00
	(d.) Tissus de coton purs ou mélangés de fils métalliques, sans mélange de soie, de laine, ou des autres poils d'animaux dénommés au No. 41—	..	70 00	87 50
	3. Tissus serrés de toute sorte, non repris aux Nos. 1, 2, et 6 ; tissus non serrés, écrus (fabriqués avec du fil écreu), ne rentrant pas sous le No. 1, et non compris les tissus pour rideaux ; bonneterie ; passementerie ; boutonnerie ; fils combinés avec des fils métalliques .. .. .	..	120 00	150 00
ex 3	Plomb et ouvrages en plomb—			
	(a.) Litharge de plomb, d'argent, et d'or .. .. .	..	
			Exempt.	

* See Protocol, page 298.

		Exempte	
..	..	2 50	3 12½
	..	1 50	1 87½
..	..	6 00	7 50
	..	10 00	12 50
..	..	15 00	18 75
	..	24 00	30 00
..	..	24 00	30 00
	..	24 00	30 00

admission directe des matières premières, toutes les matières premières, y compris le fer et les ouvrages en fer.

(b.) Fer forgé (fer et acier laminés ou fondus) en barres, y compris le fer forgé; fer en bandages de roues; en sacs de charnières; fer d'angle et cornières; rails de chemin de fer; éclisses pour rails; coussinets et traverses.

Note.—Fer en barres, longues de 12 centim. et au-dessous pour la refonte

(c.) Ouvrages en fer —

2. Communs —

a. Non dénommés à d'autres numéros du Tarif, même combinés avec le bois

b. Dégrossis, vernis au vernis commun, cuivrés, zingués, étamés, plombés ou émaillés, mais non polis, ni vernis au vernis fin; y compris patins, marteaux, cognées, haches, serres ordinaires, coutellerie commune, faux, faucilles, étrilles, hordes d'édifices publics, clefs pour écrous, équerres, vis à bois, vis pour serrures, pour roues, vis de fil de fer, tenailles, clefs simplement estampées, fourches à fumier et à foin ..

γ. Limes à main; lames d'armes blanches; fers de rabots; ciseaux à froid; ciseaux à tondre les draps; ciseaux de tailleur; ciseaux à tondre les laines; scies; vilebrequins; couteaux mécaniques et à papier, et outils analogues ..

3. Fins —

a. En fonte fine, telle que fonte légère d'ornementation, fonte polie, fonte d'art, fonte malléable

β. En fer forgé, polis ou vernis au vernis fin; couteaux, ciseaux, aiguilles à tricoter et agrafes en métal, ouvrages de fourbis-
seur, &c., tous les dits objets en tant que non repris à d'autres numéros du Tarif, même quand ils sont combinés avec le bois ou d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans la mercerie

(*) *Verres en feuilles fraîches, pour bouteilles et pour décoloration; plantes...*
parties de plantes vivantes; graines de légumes, de légumes, de légumes...
Légumes et herbes potagères, fruits; légumes de terre, fruits, fruits non
dénommés (excepté le maïs et les fruits du Midi), et les autres
produits agricoles non dénommés ailleurs...

Verre et verrerie—

(a.) Verre vert et autre verre commun en couleur naturelle, en pièces creuses, non moulé, non taillé, non poli, même avec clissage commun en osier, en joint, en paille ou en roseau; verre en masse; verre d'optique brut (dint-glass, crown-glass), verre coulé en plaques, brutes, ondulé pour toitures, émail en gâteaux, tubes et baguettes de verre, sans distinction de couleurs, pour fabrication de perles et de verreries d'art.

(b.) Verre blanc en pièces creuses, non passé à la meule ni à l'émeri, non moulé, mais dont le bouchon, le pied ou le bord seuls ont été passé à la meule ou à l'émeri

(d.) 1. Glaces à miroir, brutes, non passées à la meule

ex 2. Verre à vitres de couleur

(e.) Pendeloques de lustres, même de couleur, boutons de verre, avec ou sans queue, même de couleur, verre massif blanc, non spécialement dé-

nommé, verre moulé, passé à la meule, poli, passé à l'émeri, taillé, gravé, avec dessins, non repris dans les lettres (d) et (f)

Nota sur (e).—Plaquettes de verre, perles de verre, vitrifications, larmes bataviques, même de couleur

(f) 1. Verre de couleur autre que celui repris sous les lettres (a), (d), et (e), même moulé, passé à la meule, ou à l'émeri, poli, taillé, gravé, avec dessins

2. Plaquettes de verre, perles, émail, larmes bataviques; boutons de verre avec ou sans queues, peints, argentés, ou dorés

3. Autre verre peint, doré ou argenté; pierres fausses en verre, non montées

Exempte.

100 kilog.	..	3 00	3 75
100 kilog. bruts	..	8 00	10 00
100 kilog.	..	3 00	3 75
100 kilog. bruts	..	24 00	30 00
"	..	12 00	15 00
100 kilog.	..	12 00	15 00
"	..	2 00	2 50
"	..	15 00	18 75
"	..	15 00	18 75
"	..	20 00	25 00

Numéros correspondant à ceux du Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
10 (<i>suite</i>).	Verre et verreries (<i>suite</i>)— 4. Ouvrages en verre et en émail même combinés avec d'autres matières, mais n'étant pas de ce fait, repris par le No. 20 <i>Nota à (f).</i> —Verres opaques, opalins, unis, non passés à la meule ni à l'émeri, ni peints, ni moulés, mais dont seulement le bouchon, le pied ou le fond seuls ont été passés à la meule ou à l'émeri..	100 kilog. .. "	24 00 10 00	30 00 12 50
11	Crins et cheveux et ouvrages en crins et cheveux ; plumes et soies de porc et de sanglier— <i>ex (a).</i> Crins bruts, peignés, bouillis, teints, filés, frisés ; soies de porc et de sanglier ; plumes à lit, brutes.. .. . <i>ex (f).</i> Plumes à lit nettoyées et préparées .. .. .	.. ..	Exempt. Exemptes.	Exempt. Exemptes.
12	Peaux grandes et petites— <i>(a).</i> Peaux grandes et petites, brutes (vertes, salées, passées à la chaux, sèches) pour tannage, même dépoignées de leur poil Bois et autres matières à tailler, végétales et animales, et ouvrages des dites matières— <i>ex (a).</i> Charbon de bois <i>(b).</i> Écorce à tan et tan <i>(c).</i> Bois à construire et pour usages industriels—	.. .. .. .. ..	Exemptes.	Exempt.
13	1. Brut ou simplement ébauché à la hache, ou scié, en travers, ou dégrossi, avec ou sans écorce ; douves en chêne 2. Bois fendu dans le sens de la longueur ou préparé autrement que par un dégrossissage à la hache, ou débité en morceaux ;	100 kilog. .. ou Mètre cube ..	0 20 1 20	0 25 1 50

doivent être peints avec le No. 1. pour leur vannerie et bois pour cercles, bois pelés, moyeux, fautes de roues ..				
3. Bois scié dans le sens de la longueur; planches non rabotées; bois d'équarrissage et autres ouvrages sciés et découpés ..				
100 kilog.	..	0 30	0 37½	
Mètre cube	..	1 40	2 35	
100 kilog.	..	0 80	1 00	
Mètre cube	..	4 80	6 00	
<i>ex (d).</i> Ouvrages de tonnellier, de tourneur, de menuisier, en bois commun, brut, non teints, ouvrages en bois simplement rabotés, ouvrages de charonnage, excepté les meubles en bois dur et les meubles plaqués; osier pour vannerie, pelé; vannerie commune, non teinte, non passée au mordant, non laquée, ni polie ni vernie ..				
Non teints ..	..	..	..	..
Corne en feuillet, feuillet d'os, bruta simplement débités ..	..	..	..	..
(e.) Bois débité en feuilles de placage, parties de parquet non assemblées, non passées au mordant ..	..	..	..	..
(f.) Meubles et parties de meubles en bois non compris sous les lettres (d) et (g) ci-avant, même combinés, dans quelques-unes de leurs parties, avec des métaux communs, du cuir, du verre, des pierres autres que fines ou demi-fines, des ouvrages en grès, de la faïence ou de la porcelaine, autres ouvrages de menuiserie, de tour, de tonnellier, de charonnage, et de vannerie commune; peints, passés au mordant, laqués, polis, vernis, ou confectionnés dans quelques-unes de leurs parties avec les matières ci-dessus dénommées, pièces de parquet assemblées ou plaquées, sans marqueterie; jouets communs, non teints ..	..	..	..	..
Bobines en bois, teintes ..	..	..	..	..
(g.) Ouvrages fins en bois avec marqueterie ou sculpture; vannerie fine et, en général, articles de toute sorte, non repris aux lettres (d), (e), (f), et (h), en matières à tailler végétales et animales autres que l'écaille, l'ivoire, la nacre, l'ambre, le jais ou jayet, les dits objets même combinés avec d'autres matières, pourvu que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20 (ouvrages en bois bronzés) ..	..	..	..	..
100 kilog.	..	10 00	12 50	
"	..	5 00	6 25	
"	..	30 00	37 50	

Numéros correspondant à ceux du Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
ex 13 (suite).	Bois, &c. (suite)— Cadres et baguettes pour cadres, bronzés, dorés, argentés; jouets en bois non repris à la lettre (f); même combinés avec d'autres matières, à condition que de chef ils ne soient pas repris par le No. 20 Vannerie en copeaux teints, meubles en bois courbés avec parties ornementées par estampage, et parties de meubles ornées de la même manière (bois pour sièges, &c.) Nota 2, 13 (g).—Boutons de corne moulés	100 kilog. .. " " 100 kilog. bruts	24 00 10 00 30 00 14 00	30 00 12 50 37 50 17 50
14 ex 15	Houblon et lupuline Instrumenta, machines, voitures, &c.— (a.) 1. Instruments de musique, à l'exception des pianos, des harmoniums, et instruments similaires à clavier, mais comprises les orgues d'église .. Effets d'habillement et linge de corps confectionnés; ouvrages de mode— (c.) Autres, non repris aux lettres (d) et (e) (f.) Chapeaux—	100 kilog. .. " " 100 kilog. .. " " "	20 00 300 00 180 00 1 00 0 80 0 20	25 00 375 00 225 00 1 25 1 00 0 25
18	2. D'homme, en feutre, garnis ou non 3. De femme, garnis, excepté les chapeaux de feutre De femme, en feutre, garnis 4. Non dénommés, garnis ou non Cuivre et autres métaux communs, non spécialement dénommés; alliages de métaux communs non dénommés ailleurs et ouvrages des dits métaux et alliages— (d.) 2. Autres ouvrages non compris sous le No. 3 ci-après, ou ne rentrant pas, par le fait de leur combinaison avec d'autres matières, dans le No. 20	100 kilog. .. " " " " " 100 kilog. ..	300 00 180 00 1 00 0 80 0 20 30 00	375 00 225 00 1 25 1 00 0 25 37 50

Numéros correspondant à ceux du Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
<i>ex 20 (suite).</i>	<p>Mercerie, &c. (<i>suite</i>)—</p> <p>3. Ouvrages en fil de coton, de laine, ou d'autres poils d'animaux, de lin, ou de chanvre, de soie, dans lesquels entrent le caoutchouc, le carton, le cuir, le drap-cuir, la gutta-percha, les matières à tailler végétales ou animales, les métaux communs, la paille, le papier, le carton, la pierre, la porcelaine, ou la faïence, le verre, non spécialement dénommés au Tarif</p> <p>Peaux préparées et ouvrées—</p> <p>(c.) Cordonnerie, sellerie, bourrellerie, et ouvrages de malletier communs et autres ouvrages en peau tannée non teintée, ou simplement noircie ou en peau brute, les dits articles mêmes combinés avec d'autres matières, en temps que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20</p> <p>(d.) Ouvrages fins en cordouan, en maroquin, peau de Bruxelles et de Danemark, en peau chamoisée ou mégrie, en cuir teint, en cuir verni, et en parchemin, même combinés avec d'autres matières, en tant que, par le fait de la combinaison, ils ne rentrent pas dans le No. 20 ; chaussures fines de toute espèce</p> <p><i>Nota sur (c) et (d).—</i>Les ouvrages de cordonnerie et de malletier en toile d'emballage grise, en toile à voile, en toile de lin grossière, en coutils ou en treillis grossiers ou en toile cirée grossière, non imprimée, seront traités comme ouvrages en peau commune, et les ouvrages en toile cirée fine, en mousseline gommée ou taffetas gommé, seront traités comme ouvrages en peau fine.</p> <p>(e.) Gants</p>	<p>100 kilog. ..</p> <p>"</p> <p>"</p> <p>"</p>	<p>120 00</p> <p>50 00</p> <p>65 00</p> <p>100 00</p>	<p>150 00</p> <p>62 50</p> <p>81 25</p> <p>125 00</p>

(a.) Fil non teint, non imprimé, non blanchi, y compris les fils similaires retors de jute ou de chanvre de manille—	1. Jusqu'au No. 8 Anglais	.. ..	.. ..	5 00	6 25
	2. Au-dessus du No. 8 jusqu'au No. 20 Anglais	.. ..	.. ..	6 00	7 50
	3. Du No. 20 au No. 35 Anglais	.. ..	.. ..	9 00	11 25
	4. Au-dessus du No. 35 Anglais	.. ..	.. ..	12 00	15 00
(b.) Fil, teint, imprimé, blanchi; fils similaires retors de jute et de chanvre de manille—	1. Jusqu'au No. 20 Anglais	.. ..	.. ..	12 00	15 00
	2. Au-dessus du No. 20 jusqu'au No. 35 Anglais	.. ..	.. ..	15 00	18 75
	3. Au-dessus du No. 35 Anglais	.. ..	.. ..	20 00	25 00
	(c.) Fil à coudre, préparé, fil retors ou dénommé sous les lettres (a), (b), et (d)	.. ..	.. ..	36 00	45 00
(d.) Fil à coudre, retors, préparé..	.. ..	.. ..	.. ..	70 00	87 50
	(e.) Cordages—	.. ..	.. ..	10 00	12 50
	1. Cordes, câbles, même blanchis, ou goudronnés	.. ..	.. ..	24 00	30 00
	2. Cordages de toute sorte, non compris ceux désignés sous le No. 1.	.. ..	.. ..	12 00	15 00
(f.) Toile, coutil, et treillis, non teints, non imprimés, non blanchis—	1. Ayant, sur une surface de 4 centim. carrés, jusqu'à 40 fils, chaîne et trame comprises; tapis de pied en chanvre de manille, en fibres de noix de coco, en jute, et autres filaments, non teints ..	.. ..	.. ..	24 00	30 00
	2. Ayant, sur une surface de 4 centim. carrés, de 41 à 80 fils chaîne et trame comprises; tapis de pied en chanvre de manille, en fibres de noix de coco, en jute, et autres filaments teints ..	.. ..	.. ..	36 00	45 00
	3. Ayant, sur une surface de 4 centim. carrés, de 81 à 120 fils, chaîne et trame comprises ..	.. ..	.. ..	60 00	75 00
	4. Ayant, sur une surface de 4 centim. carrés, plus de 120 fils, chaîne et trame comprises ..	.. ..	.. ..	60 00	75 00
(g.) Toile, coutil, et treillis, teints, imprimés, blanchis, même tisés, avec du fil teint, imprimé, ou blanchi—	1. Ayant, sur une surface de 4 centim. carrés, jusqu'à 120 fils, chaîne et trame comprises ..	.. ..	.. ..	60 00	75 00

.. (c). Pâtes rouges .. .. .	..	..	10 00	12 80
.. (d). Fromages de toute sorte .. .. .	..	..	4 00	6 00
(p.) 1. Confitures et sucreries, pâtisseries de toute sorte— Fruits, épices, légumes, et autres comestibles (champignons, fruits, volaille, coquillages de mer, &c.) conservés au sucre, au vinaigre, à l'huile, ou autrement, notamment les produits conservés en bouteilles, boîtes, et récipients similaires, étuvés et même salés; moutarde préparée; câpres, petite pâtée, sauces, et autres comestibles de luxe similaires .. .. .	..	..	60 00	76 00
Olives .. .. .	..	..	30 00	37 50
(Unconbres marinés ou salés (dits concombres de Znain) additionnés de quelques épices visées en (i) No. 25 ou avec une légère addition d'autres légumes en futaile, cruchons, ou récipients de poterie ou de verre, &c. .. .. .	..	..	4 00	5 00
ex 2. Fruits, graines, et semences, baies, feuilles et fleurs, champignons, légumes, secs, desséchés, torréfiés, pulvérisés, simplement cuits ou salés, et ne rentrant dans aucune autre catégorie du Tarif: jus de fruits, de baies, et de racines pour la table, cuits, sans sucre .. .. .	..	..	4 00	5 00
Écorces de fruits du Midi, fraîches ou séchées; caroubes, même moulues .. .. .	..	..	1 00	1 25
Oranges amères non arrivées à maturité, même en saumure .. .. .	..	..	2 00	2 50
Noix sèches, châtaignes mûres, pignons doux .. .. .	..	..	3 00	3 75
(g.) 2. Produits de la mouture des grains et des légumes; grains décorés ou concassés, orge mondé, gruaux, semoules, farines; espèces communes de boulangerie .. .. .	..	..	7 30	9 12½
(a.) Riz mondé ou non .. .. .	..	..	4 00	5 00
Huiles non dénommées et grasses— ex (a). Huile d'olive comestible, en bouteilles ou cruches.. .. .	..	..	10 00	12 50
ex (b). Huiles d'olive comestibles, en futailes .. .. .	..	..	3 00	3 75
ex (d). Huile d'olive dénatmée conformément aux règlements .. .. .	..	..	Exempte.	
ex (f). Huile de ricin en futailes ou en boîtes de fer blanc pesant au moins 15 kilog.	100 kilog.	..	2 00	2 50
(g.) Résidus solides de la fabrication des huiles grasses, même moulus .. .. .	..	..	Exempte.	

(a.) Toisons de fourrure doublées, bœufs fourrés, doublés, gants de fourrure doublés; couvertures de fourrure avec doublure, fourrures doublées, garnitures et articles similaires doublés. 100 (K) 125 (K)

(b.) Peaux de mouton, filées, préparées en poil, de même peaux d'angora ou de mouton, blanches ou teintées, non doublées, couvertures non doublées, doublures pour fourrures et garnitures 6 (K) 7 50

30

Soies et tissus de soie—

(a.) Soies en corons; soie grège ou moulinée, non teintée; bourre de soie, peignée; filée ou retorse, non teintée; déchets de soie même teintée Exempte.

(c.) 1. Tissus de soie ou de bourre de soie, même combinés avec des fils métalliques; tissus de soie mélangés d'autres matières textiles ainsi que de fils métalliques 800 00 1,000 (K)

(f) Tissus de soie ou de bourre de soie, de toute sorte, non compris sous la lettre (c) ci-avant, combinés avec le coton, le lin, la laine, ou d'autres matières textiles, animales ou végétales 450 00 562 50

Nota.—Il n'est pas tenu compte de la présence de la soie dans les tissus où elle est roulée sur des fils d'autres matières textiles quand elle ne cache pas les dits fils et qu'elle ne les suit pas dans toute leur longueur.

Pierres et ouvrages en pierre—

(a.) Pierres (notamment le corail, les asphaltes, les marnes bitumineuses, le marbre, et l'albâtre), brutes ou simplement taillées, même moulées Exemptes.

Nota sur la lettre (a).—Les blocs dont trois côtés seulement portent des traces du travail à la scie rentrent dans la catégorie des pierres brutes ou simplement taillées.

(b.) Meules de moulin, même avec cerclé en fer 0 50 0 62½

(c.) Ardoises en tables, brutes 1 00 1 25

(d.) Blocs sciés, ouvrages grossiers de tailleurs de pierre, tels que montants de portes et de fenêtres, moulures, pinthes, simples sans ornements, sauf pour les ouvrages grossiers en marbre ou en albâtre, mais ne comprenant pas le granit Belge (écaussine, petit granit) Exempte.

ex Nota sur la lettre (d).—Marbre et albâtre en blocs et en plaques au-dessus de 16 centim. d'épaisseur, importés par mer Exempte.

33

(c.) Autre partie non comprise la porcelaine et les produits analogues à la porcelaine.	..	..	10 00
1. D'une seule couleur ou blanche; ouvrages en terre cuite, lins, ..	..	..	20 00
2. De deux couleurs ou plus, avec filets, imprimée, peinte, dorée, argentée, ..	..	..	..
<i>Nota.</i> —Carrreaux de pavage et de revêtement avec des bois estampés sur l'argile, de différentes couleurs, non vernis .. .. .	..	..	3 75
(f.) Porcelaine et produits analogues à la porcelaine (parian, jaspe, &c.)—	..	..	..
1. Blancs .. .. .	..	..	10 00
2. De couleur, avec filets imprimés, dorés, argentés .. .. .	..	..	20 00
De couleur, combinés avec d'autres matières, ou tant que, par la combinaison, ils ne rentrent pas dans le No. 20 .. .. .	..	..	24 00
Bestiaux—	..	..	..
(a.) 1. Chevaux	Pièce..	20 00	25 00
<i>Nota.</i> —1. Chevaux jusqu'à l'âge de 2 ans .. .. .	..	10 00	12 50
2. Poulains suivant leur mère .. .. .	..	..	..
(b.) Taureaux et vaches	Pièce..	9 00	11 25
(c.) Bœufs .. .. .	..	25 50	31 82½
<i>Nota.</i> —Pour les habitants des frontières, les bœufs de travail, de 2 ans et demi à 5 ans, peuvent être introduits au droit de 20 marks (25 fr.) par tête, s'il est démontré d'une manière évidente qu'ils sont nécessaires à l'exploitation proprement dite du fonds, et en se soumettant aux règlements prescrits par le Conseil Fédéral.	..	..	..
(d.) Bouvillons, taurillons, et génisses, au-dessous de 2 ans et demi .. .. .	..	5 00	6 25
(e.) Veau de moins de 6 semaines .. .. .	..	3 00	3 75
(f.) Porcs .. .. .	..	5 00	6 25
(g.) Cochons de lait, de moins de 10 kilog.. .. .	..	1 00	1 25
(h.) Moutons, brebis, et bœliers .. .. .	..	1 00	1 25
(i.) Agneaux .. .. .	..	0 50	0 62½
Tissus cirés, mousseline, et taffetas gommés—	..	..	..
(a.) Toile cirée grossière, non imprimée (pour emballage)	100 kilog.	10 00	12 50

Numéros correspondant à ceux du Tarif Général Allemand.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
41	<p>Laines et poils d'animaux non dénommées à d'autres numéros du Tarif, et fils et tissus des dites matières —</p> <p>(a.) Laine brute, teinte, moulue ; poils d'animaux bruts, peignés, bouillis, teints, et même frisés</p> <p>(c.) Fils mélangés ou non de matières textiles autres que le coton —</p> <p>3. Autres fils —</p> <p>α. Écrus, simples</p> <p>β. Écrus doubles</p> <p>(d.) Tissus purs, ou mélangés de coton, de lin, ou de fils métalliques —</p> <p>4. Feutres, non imprimés, ne rentrant pas sous le No. 2 ci-avant ; ouvrages en feutre et bonneterie non imprimés ; tapis de pied, même imprimés, en laine, ou autres poils d'animaux, non compris le poil des races bovines et le crin, et même combinés avec des filaments végétaux et d'autres matières textiles</p> <p>5. Draps et tissus non imprimés, ne rentrant pas sous les Nos. 7 et 8 —</p> <p>α. D'un poids dépassant 200 grammes pour une surface de 1 mètre carré</p> <p>β. D'un poids de 200 grammes ou moins pour une surface de 1 mètre carré</p>	<p>..</p> <p>100 kilog. ..</p> <p>" ..</p> <p>" ..</p> <p>" ..</p> <p>" ..</p> <p>" ..</p> <p>" ..</p> <p>" ..</p>	<p>8 00</p> <p>10 00</p> <p>100 00</p> <p>135 00</p> <p>220 00</p>	<p>10 00</p> <p>12 50</p> <p>125 00</p> <p>165 75</p> <p>275 00</p>

TARIF (B).^{*}—*Droits à l'Entrée en Italie.*

Numéros du Tarif Général Italian.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
	CATÉGORIE I.— <i>Spiritueux, Boissons, et Huiles.</i>		Fr. c.
1	Eaux minérales, naturelles ou artificielles, et eaux gazeuses	100 kilog. ..	0 50
3	Bière—		
	(a.) En futailles	Hectol. ..	3 00
	(b.) En bouteilles	100 bouteilles	3 00
4	Spiritueux—		
	(a.) Alcool pur, en futailles (y compris le récipient)	Hectol. ..	14 00
6	Huiles fixes—		
	(a.) D'olive pure	100 kilog. ..	6 00
7	Huiles minérales et de résine—		
	(a.) Brutes; huiles de térébenthine	„ ..	3 00
8	Huiles volatiles et essences—		
	(b.) D'orange et ses variétés	Kilog. ..	1 50
	(c.) De girofle	„ ..	7 50
	(d.) De menthe	„ ..	7 50
	(e.) Non dénommées, excepté l'huile ou essence de rose	„ ..	3 00
9	Levures de toute sorte (lieviti)		Exemptes.
	CATÉGORIE II.		
11	Chicorée, et tout autre succédané du café—		Exempte.
	(a.) Sèche		
	(b.) Moulue ou simplement torréfiée	100 kilog. ..	8 00
	CATÉGORIE III.— <i>Produits chimiques, Espèces médicinales, Résines, et Parfumerie.</i>		
11	Acides—		
	(c.) Gallique et tannique, impurs		Exemptes.
	(d.) Acétique, impur	100 kilog. ..	1 00
	(h.) Tartrique	„ ..	10 00
	(i.) Phénique	„ ..	10 00
	(l.) Acétique liquide (y compris le vinaigre ordinaire), renfermant d'acide acétique pur—		
	1. 10 pour cent et moins	„ ..	15 00
	2. Plus de 10 pour cent et moins de 50 pour cent.	„ ..	90 00
	3. 50 pour cent ou plus	„ ..	180 00
11	(a.) Benzolique, carbonique même gazeiforme; gallique et tannique purs; phosphorique, pyrogallique, sulfureux	„ ..	10 00

^{*} See Protocol, page 298.

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
33	Alcaloïdes—		
	(a.) Sels de quinine	Kilog. ..	5 00
	(b.) Non dénommés, et leurs sels ..	" ..	5 00
34	Oxydes de fer, de plomb, et d'étain ..	100 kilog. ..	4 00
35	Oxyde de zinc	" ..	5 00
ex 37	Carbonates—		
	(c.) De plomb	" ..	8 00
	ex (d.) De soude (bicarbonate) ..	" ..	0 50
	(e.) De potasse (y compris bicarbonate)	" ..	0 50
ex 40	Nitrates—		
	(a.) D'argent	Kilog. ..	5 00
44	Tartre (bitartrate de potasse), tartre des fûts, et lies de vin		
46	Sulfure de mercure (cinabre ou vermillon)		
ex 51	Produits chimiques, non dénommés—		
	ex (b.) Iode; brome; alumine, pure ou gélatineuse; glycérine, brute et raffinée; oxalate (bioxalate) de potasse; sels de strontiane; cyanure de potassium; sels d'ammoniaque, excepté les bromures et iodures d'ammonium; sulfure de potassium et de sodium; sulfure d'arsenic (orpiment), jaune et rouge, non pulvérisé; chromate et bichromate de potasse et de soude; alun de chrome; sel d'étain; albumine pure; préparations de cadmium; oxyde de cuivre; préparations désincrustantes pour chaudières; acétate de chaux, de baryte, de potasse, et de soude; oxyde d'antimoine (à l'exception des oxydes d'antimoine sulfurés ou oxysulfurés, à savoir: crocus, foie, et verre d'antimoine); benzoates à l'exception des benzoates d'alcaloïdes et de mercure); brillantine pour apprêts de tissus; citrate de fer; foie de soufre; phosphates (excepté les phosphates d'alcaloïdes et de mercure); manganates; mastic composé d'huile de noix et de lin, et d'oxyde ou de carbonate de plomb; mastic composé de résine, cire, et ocre, employé pour mastiquer les marbres ou autres matières semblables ou pour enduire les bouchons de bouteille ..	100 kilog. ..	4 00
ex 53	Capsules fulminantes et cartouches—		
	(a.) Cartouches vide sans capsules ..	" ..	60 00
	(b.) Capsules	" ..	220 00
ex 58	Camphre—		
	(a.) Raffiné	" ..	25 00

Numéros du Tarif Général Italian.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
α 61	Coton et ouate antiseptique, pepsine pure, extrait de houblon, beurre de cacao, huile camphrée, terpine ..	100 kilog. ..	10 00
α 62	Limaille de fer pulvérisée, non autrement préparée	" ..	10 00
α 64	(a.) Graisse de voiture, composée d'huile, de résine, et de chaux.		Exempte.
	CATÉGORIE IV.— <i>Couleurs, Teintures, et Tanins.</i>		
α 67	Racines, écorces, feuilles, fleurs, lichens, herbes, et fruits, pour la teinture et le tannage—		
	(a.) Non moulus		Exempts.
	(b.) Moulus		Exempts.
70	Couleurs dérivées du goudron et d'autres substances bitumineuses—		
	(a.) A l'état sec		Exempts.
	(b.) En pâte ou liquides		Exempts.
71	Extraits colorants de bois de teinture, et d'autres matières tinctoriales de toute sorte	100 kilog. ..	10 00
72	Couleurs, en tablettes, en poudre, ou de toute autre sorte, y compris les laques de couleur aniline	" ..	10 00
α 73	Vernis—		
	α (b.) Sans alcool, à l'exception des vernis contenant des huiles minérales	" ..	20 00
74	Crayons—		
	(a.) De pastel coloré sans gaine ou avec gaine, non blanchie, non lissée, ni vernissée	" ..	100 00
	(b.) Autres	" ..	50 00
75	Encre—		
	(a.) D'imprimerie	" ..	12 50
	(b.) De toute autre sorte	" ..	15 00
	CATÉGORIE V.— <i>Chanvre, Lin, Jute, et autres Végétaux filamenteux, excepté le Coton.</i>		
α 76	Cordages, cordes, et ficelles, même goudronnés, ayant de grosseur—		
	(b.) 2 millim. et moins	100 kilog. ..	25 00
α 82	(a.) Fils de lin, lessivés ou blanchis, simples, mesurant au kilog.—		
	De 7,000 à 20,000 mètres	" ..	17 50
	Plus de 20,000 jusqu'à 37,000 mètres	" ..	22 00
α 86	Tissus de lin—		
	(c.) Lessivés ou blanchis unis, présentant en chaîne et en trame dans un carré de 5 millim. de côté—		
	Plus de 10 jusqu'à 26 fils	" ..	66 40
	Plus de 26 jusqu'à 45 fils	" ..	84 00

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
<i>ex</i> 86 (<i>suite</i>).	Tissus de lin (<i>suite</i>)— (<i>d.</i>) Blanchis, ouvrés ou damassés ..		Droits des tissus blanchis unis.
	(<i>e.</i>), (<i>f.</i>). En couleur, ou teints ..		Droits des tissus écrus plus 35 fr. par 100 kilog.
88	Passementerie de lin et de chanvre ..	100 kilog. ..	110 00
<i>ex</i> 89	Bonneterie*— (<i>a.</i>) Simple	" ..	110 00
<i>ex</i> 94	Articles confectionnés*— <i>ex</i> (<i>a.</i>) Sacs, linge de lit et de table, essuie-mains, rideaux simplement ourlés, et articles similaires de lin		Droit de tissu augmenté de 10 pour cent.
	(<i>b.</i>) Cols, manchettes, et chemises pour hommes .. .		Le double du droit du tissu.
	(<i>c.</i>) Autres (à l'exception des articles compris en <i>a.</i>), qui ne sont pas en lin		Droit du tissu augmenté de 40 pour cent.
CATÉGORIE VI.— <i>Coton</i> .			
106	Tissus de coton, imprimés		Droit du tissu blanchi acru de 70 fr. par 100 kilog.
<i>ex</i> 115	Passementerie— Mèches de coton pour lampes ..	100 kilog. ..	100 00
120	Articles confectionnés†— (<i>a.</i>) Sacs, linge de lit et de table, essuie-mains, rideaux simplement ourlés, et articles similaires		Droit du tissu augmenté de 10 pour cent.
	(<i>b.</i>) Cols, manchettes, et chemises pour hommes		Le double du droit afférent au tissu.
	(<i>c.</i>) Autres		Droit du tissu augmenté de 40 pour cent.
CATÉGORIE VII.— <i>Laine, Crin, et Poil</i> .			
<i>ex</i> 121	Laine— (<i>e.</i>) Peignée, non teinte	100 kilog. ..	15 00
<i>ex</i> 123	Crin— (<i>e.</i>) Frisé, cordes, et ouvrages grossiers en crin	" ..	17 00

* En matières textiles de la Catégorie V.

† En matières textiles de la Catégorie VI.

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
125	Fils de laine cardée, simples— (a.) Écrus, ayant de longueur, au kilog.— 1. Jusqu'à 10,000 mètres .. 2. Plus de 10,000 mètres .. (b.) Blanchis (c.) Teints	100 kilog. .. " .. Régime des fils écrus, augmenté de 20 pour cent. Régime des fils écrus, plus 25 fr. par 100 kilog. Régime des fils simples, plus 17 fr. par 100 kilog.	45 00 55 00 Régime des fils écrus, augmenté de 20 pour cent. Régime des fils écrus, plus 25 fr. par 100 kilog. Régime des fils simples, plus 17 fr. par 100 kilog.
126	Fils de laine cardée, retors	Régime des fils simples, plus 17 fr. par 100 kilog.	
127	Fils de laine peignée, simples— (a.) Écrus, ayant de longueur, au kilog.— 1. Jusqu'à 50,000 mètres .. 2. Plus de 50,000 mètres .. (b.) Blanchis (c.) Teints	100 kilog. .. " .. Régime des fils écrus, plus 20 pour cent. Régime des fils écrus, plus 25 fr. par 100 kilog. Régime des fils simples, plus 17 fr. par 100 kilog.	60 00 75 00 Régime des fils écrus, plus 20 pour cent. Régime des fils écrus, plus 25 fr. par 100 kilog. Régime des fils simples, plus 17 fr. par 100 kilog.
128	Fils de laine peignée, retors	Régime des fils simples, plus 17 fr. par 100 kilog.	
129	Tissus de laine— (a.) Cardée, pesant au mètre carré— 1. 300 grammes ou moins .. 2. Plus de 300 jusqu'à 500 grammes 3. Plus de 500 grammes .. (b.) Peignée, pesant au mètre carré— 1. 200 grammes ou moins .. 2. Plus de 200 jusqu'à 500 grammes 3. Plus de 500 grammes ..	100 kilog. .. " .. " .. " .. " .. " .. " .. " ..	185 00 160 00 140 00 250 00 220 00 190 00
130	Tissus de laine imprimés, pesant 300 grammes ou moins au mètre carré ..	Régime du tissu selon l'espèce accru de 30 fr. par 100 kilog.	
132	Tissus de laine brodés— (a.) Au point de chaînette (b.) Au point passé	Régime du tissu selon l'espèce, plus 200 fr. par 100 kilog. Régime du tissu selon l'espèce, plus 300 fr. par 100 kilog.	
134	Tissus de crin— (a.) Pour tamis	100 kilog. ..	30 00
135	Bonneterie*— (a.) Simple	" ..	220 00

* En matières textiles de la Catégorie VII.

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits. Fr. c.
135 (<i>suite</i>).	Bonneterie (<i>suite</i>)— (b.) Façonnée	Droit de la bonneterie simple, plus 50 pour cent.	
136	Passenterie* La passementerie dont la partie extérieure est composée de laine et d'autres matières textiles, à l'exception de la soie, la laine entrant dans la proportion de moins de 50 pour cent., est admise au droit de 180 fr. les 100 kilog.	100 kilog. ..	220 00
137	Galons et rubans*	" ..	240 00
139	Dentelles et tulles de laine	Kilog. ..	7 00
ex 140	Couvertures et tapis— ex (c). Tapis de pied en laine et bourre de laine, y compris les tapis dans lesquels prédominent d'autres matières textiles à l'exception de la soie	100 kilog. ..	100 00
142	Articles confectionnés*	Régime du tissu selon l'espèce augmenté de 40 pour cent.	
CATÉGORIE VIII.—Soie.			
144	Cocons, excepté les doupions	Exempts.	
ex 145	Soie simple, moulinée ou torse— (a.) Grège	Exempte.	
147	Déchets de soie— (a.) Cocons ou de doupions (strusa, strazza di seta, e di doppio), grèges	Exempts.	
ex 148	(b.) Autres grèges Velours et peluches de soie ou de bourre de soie— (a.) Unis	Kilog. ..	9 00
ex 149	Fichus, écharpes, et cache-nez, noirs ou de couleur, non cousus, de soie ou de bourre de soie— Unis Façonnés	" .. " ..	6 50 9 00
150	Velours mélangés dans lesquels la soie ou la bourre de soie entre pour 12 pour cent au moins et 50 pour cent au plus— (a.) Unis (b.) Façonnés	" .. " ..	7 00 10 00
ex 151	Tissus mélangés dans lesquels la soie ou la bourre de soie entre pour 12 pour cent au moins et 50 pour cent au plus— (b.) De couleur— 1. Unis 2. Façonnés	" .. " ..	5 00 8 00

* En matières textiles de la Catégorie VII.

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
<i>ex</i> 154	Rubans mélangés dans lesquels la soie ou la bourre de soie entre pour 12 pour cent au moins et 50 pour cent au plus		3 fr. par kilog. en plus du droit du tissu selon l'espèce.
156	Passementerie*		Même régime que les rubans.
160	Articles confectionnés*		Droit du tissu selon l'espèce, augmenté de 40 pour cent.
CATÉGORIE IX.—Bois et Pailles.			
161	Charbon de bois		Exempts.
162	Bois à brûler		Exempts.
<i>ex</i> 163	Bois—		
	(a.) Commun—		
	1. Brut ou simplement dégrossi à la hache		Exempt.
	2. Équarri, scié		Exempt.
	3. En éclisses pour boîtes, tamis, cribles, et articles similaires, et cercles de toute longueur		Exempt.
	4. Débité pour allumettes		Exempt.
	<i>ex</i> (b). D'ébénisterie—		
	2. Scié de long	100 kilog' ..	3 00
	3. En planches ou en carreaux marquetés pour planchers	„ ..	4 00
164	Futaillies, vides, neuves ou vieilles—		
	(a.) Cercelées en bois	Hectol. de capacité.	0 20
	(b.) Cercelées en fer	„ ..	0 30
<i>ex</i> 165	Meubles et parties de meubles, bruts ou finis—		
	(a.) Non remboursés—		
	1. En bois commun courbé	100 kilog. ..	7 50
	2. Autres en bois commun	„ ..	13 00
	3. En bois d'ébénisterie, plaqués, sculptés, et en marqueterie	„ ..	60 00
<i>ex</i> 166	Corniches et baguettes pour corniches—		
	(b.) Vernissées, dorées, ou argentées	„ ..	70 00
167	Rames, échelas, et perches		Exempts.
170	Ustensiles et ouvrages divers, en bois commun—		
	(a.) Bruts	100 kilog. ..	6 00
	(b.) Polis ou peints—		
	1. Fuseaux, bobines, et rochets	„ ..	8 00
	2. Autres	„ ..	13 00

* En matières textiles de la Catégorie VIII.

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
171	Mercerie commune en bois	100 kilog. ..	50 00
172	Jouets en bois .. ..	.. ..	60 00
ex 177	Vannerie et nattes— (b.) Fines .. ..	.. ..	30 00
	CATÉGORIE X.— <i>Papiers et Livres.</i>		
182	Pâte de bois— (a.) Cellulose	Exempte.	
	(b.) Autres (y compris la pâte de paille et de matières simi- laires)		
ex 183	Papier— (a.) Blanc ou teint, en pâte de toute sorte	100 kilog. ..	1 00
	(d.) De couleur, doré ou peint, et de tenture (y compris le papier blanc pour la lithographie et la photographie) .. ..	.. ..	12 50
	(f.) D'emballage, même teint en pâte— 1. Non lissé au cylindre .. ..	.. ..	40 00
	2. Lissé au cylindre d'un côté .. ..	.. ..	3 00
185	Estampes, lithographies, et étiquettes (cartelli), y compris les chromolitho- graphies .. ..	.. ..	5 00
ex 186	Cartons— (a.) Communs .. ..	.. ..	75 00
187	Ouvrages en papier et en carton ..	.. ..	2 00
ex 188	Livres et musique— (a.) Imprimés— 1. Musique avec texte en langue Italienne, et livres en texte mixte (Italien et autre langue), en feuilles volantes ou brochés	Exempte.	
	2. En langue autre que l'Ita- lienne, en feuilles vo- lantes ou brochés		
	3. Reliés de tout genre ..	Exempte.	
	ex (b.) Livres non imprimés (re- gistres)— 1. En feuilles volantes ou reliés en carton, même avec coins et dos de toile ..	100 kilog. ..	20 00
	ex 2. Reliés en carton recouvert de toile, même avec dos et coins en cuir ..	.. ..	22 00
		.. ..	36 00
	CATÉGORIE XI.— <i>Peaux.</i>		
ex 190	Peaux— ex (d.) Tannées sans poil— 3. Vernies	100 kilog. ..	90 00

Numéros du Tarif Général Italian.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
ex 190 (suite).	Peaux (suite)— 5. Finies autres (à l'exception des peaux vernies et à semelles)	100 kilog. ..	70 00
ex 186	Chaussures— (a.) De tout genre, en cuir, en étoffe, à l'exception de la soie ou du velours	100 paires ..	100 00
	(b) En caoutchouc, doublées ou gar- nies d'étoffe	„ ..	125 00
	CATÉGORIE XII.— <i>Minerais, Métaux, bruts et ouvrés.</i>		
ex 201	Fonte— (d.) Lampes et leurs parties, en fonte moulée, avec ou sans garni- tures ou ornements, en zinc, étamées, émaillées, nickelées, vernissées, oxydées, laquées ..	100 kilog. ..	15 00
202	Fer et acier— (a.) Laminés ou battus, en verges, tringles, ou barres calibrées de toute section— 1. N'ayant en section aucun diamètre ou côté de 7 millim. ou moins	„ ..	6 00
	2. Ayant de section un ou plusieurs côtés ou dia- mètres de 7 millim. ou moins, mais supérieurs à 5 millim.	„ ..	7 00
	3. Dont un ou plusieurs côtés ou diamètres ont une section de 5 millim. ou moins (à l'exception des fils)	„ ..	9 00
	(b.) Laminés ou étirés en fils ayant— 1. Diamètre de 5 millim. ou moins, mais plus de 1.5 millim.	„ ..	11 00
	2. Diamètre de 1.5 millim. ou moins	„ ..	15 00
	(c.) Tôles ayant d'épaisseur— 1. 4 millim. et plus	„ ..	7 00
	2. Moins de 4 millim. et plus de 1.5 millim.	„ ..	10 00
	3. 1.5 millim. ou moins	„ ..	12 00
	(d.) En tuyaux de tôle ayant d'épais- seur— 1. 4 millim. et plus	„ ..	12 00
	2. Moins de 4 millim. et plus de 1.5 millim.	„ ..	14 00
	3. 1.5 millim. ou moins	„ ..	17 00

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
<i>ex</i> 204	Fer et acier, forgés ou moulés en ancras, essieux de voiture, enclumes, et autres ouvrages bruts, pesant— <i>(a.)</i> 50 kilog. et plus <i>ex (b.)</i> Essieux de voiture bruts, pesant moins de 50 kilog..	100 kilog. ..	9 00 12 00
<i>ex</i> 206	Fer et acier de seconde fabrication, ouvrés en articles— <i>ex (a.)</i> Avec des fers et aciers, gros— 2. Complètement ou en grande partie, rabotés, limés, tournés, perforés, &c. .. 3. Étamés, plombés, zingués, et vernis <i>ex (b.)</i> Avec des fers et aciers, légers— 2. Complètement ou en grande partie, rabotés, limés, tournés, perforés, étamés, plombés, zingués, et vernis .. ..	.. .. .. .. .. .. .. ..	13 25 15 50 17 25 10 00
<i>ex</i> 206	<i>(a)</i> et <i>(b)</i> . Clous forgés fer et acier.	.. ..	10 00
<i>ex</i> 210	Ustensiles et instruments usuels pour les arts et métiers, en fonte, fer, ou acier— <i>ex (a.)</i> Communs— 1. Haches, hachettes, charrues, outils, ordinaires pour l'agriculture en général, hoyaux, bigornes, coins, valets, truelles, pièces d'acier à aiguiser (coti), herse, filières, fourches, rouanettes, leviers, couperets, marteaux, étaux de forgeron, pelles, pics, pioches, râtaux, sarcloirs, cognées, tenailles, socs, &c. <i>ex (b.)</i> Fins— 1. Cries (binde): balances à bascule, brunissoirs, burins, tournevis, composteurs, copies-lettres, cisailles, sécatteurs, forges portatives, étampes ou poinçons; outils non dénommés pour cordonniers, doreurs, menuisiers, forgerons, maréchaux ferrants, coiffeurs, imprimeurs, et autres artisans; fers à repasser et à plisser, rogne-pied, rubans de scies, alènes, tourne-à-gauche, languettes ou fers à rabots, polissoirs, peignes, rabots, pinces, poinçons, serpes,	.. .. .. .. .. ..	13 00

Numéros du Tarif Général Italian.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
	raclours, pointes pour forets et tréfans, scalpels, scies, gouges, spatules, emporte- pièce, forets, vrilles, tarières, timbres, tampons pour tim- bres et poinçons, tours d'horloger, tréfans à mains, lacerets, &c., même polis, zingués, galvanisés, doublés de cuivre, étamés, plombés, et garnis partiellement d'autres métaux	100 kilog. ..	17 00
	Faux et faucilles	" ..	12 00
	(c.) Limes et râpes ayant de longueur, manche non compris—		
	1. Plus de 30 centim. ..	" ..	13 00
	2. Plus de 15 à 30 centim. ..	" ..	15 00
	3. Moins de 15 centim. ..	" ..	20 00
ex 211	Cuivre, laiton, et bronze—		
ex 214	ex (f). Bees et galeries pour lampes.	" ..	75 00
	Plomb et ses alliages avec l'antimoine—		
	(c.) Caractères d'imprimerie. ..	" ..	18 00
216	Zinc—		
	(a.) Pains et débris	Exempts.	
	(b.) Tôles et feuilles	100 kilog. ..	4 00
	(c.) Articles non dorés ni argentés, non ornés ni vernis	" ..	12 00
	(d.) Articles non dorés ni argentés, avec ornements ou vernis de tout genre	" ..	12 00
	(e.) Articles dorés ou argentés ..	" ..	58 00
218	Antimoine métallique (régule) ..	" ..	6 00
225	Aiguilles et épingles	" ..	80 00
ex 226	Machines—		
	ex (a). A vapeur, fixes, sans chau- dières	" ..	12 00
	ex (a). A vapeur, demi-fixes, avec chaudières annexes, à air chaud, à air comprimé, à gaz, à pétrole (y compris les motrices rotatives d'un poids supérieur à 300 kilog.)	" ..	12 00
	ex (b). Chaudières—		
	ex 1. Tubulaires (en fer et fonte)	" ..	14 00
	2. Autres (non tubu- laires)	" ..	12 00
	ex (c). Hydrauliques et moteurs à eau ou à vent—		
	Roues hydrauliques, presses accumulateurs, élévateurs et monte- charges	" ..	10 00
	(c.) Locomobiles	" ..	12 00
	(g.) Machines agricoles de toute espèce	" ..	9 00

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
<i>ex</i> 226 (<i>suite</i>).	Machines (<i>suite</i>)—		Fr. c.
	(i.) Machines et métiers à tisser..	100 kilog. ..	10 00
	(j.) Machines-outils pour le travail du bois et des métaux (scies, rabots, tours, tré- pans, machines à fileter, &c.), pesant plus de 300 kilog. .. ..	.. ..	9 00
	(l.) Machines à coudre—		
	1. Sans table .. ..	.. ..	30 00
	2. Autres, avec table .. ..	.. ..	25 00
	3. Pièces détachées .. ..	.. ..	30 00
	(m.) Machines non dénommées—		
<i>ex</i> (m.)	Machines à broyer ou pul- vériser les pierres, mine- rais, os, &c.; treuils, en fonte et en fer; grues mé- caniques non hydrauliques, chevalets pour lever les wagons, &c.; machines centrifuges pour fabrica- tion du sucre; piles à cylindres (cilindri oleandesi per la fabbricazione della carta); freins automoteurs (à air comprimé, à vide, &c.); laminoirs; machines à cylindrer, excepté celles à cylindrer les tissus; ma- chines à fabriquer des eaux gazeuses; machines à pa- pier; machines à couper le papier; machines pour bri- queterie; machines à laver et à repasser le linge; ma- chines à relier les livres; machines pneumatiques à usage industriel; machines à polir; ventilateurs avec mécanisme; cartes non garnies; machines à sécher les fils; machines à laver et dégraisser les fils; ma- chines à percer le papier; machines à teindre les fils..	.. ..	10 00
	<i>ex</i> (n.) Pièces détachées de machines (à l'exception des machines dynamo - électriques), en fonte .. ..	.. ..	10 00
228	Instruments d'optique, de calcul, de précision, d'observation, de chimie, de physique, de chirurgie, &c. ..	.. ..	30 00
<i>ex</i> 231	Or—		
	(b.) Filé sur soie et sur autre ma- tière textile	Kilog. ..	10 00
	(c.) Battu en feuilles (sans défalca- tion du poids du papier) ..	.. ..	18 00

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
ex 232	Argent— (c.) Filé sur de la soie ou sur toute autre matière textile	Kilog. ..	10 00
	(d.) Battu en feuilles (sans défalca- tion du poids du papier)	" ..	5 00
233	Orfèvrerie et vaisselle d'or	Hectog. ..	14 00
234	Articles en argent, même dorés, ou ar- genterie.	Kilog. ..	9 00
ex 236	Horloges de table à tableau et pen- dule— (c.) Sans cage	Pièce ..	5 00
	(d.) Avec cage	" ..	5 00
			plus le droit de la cage.
	(e.) Réveil-matin sans sonnerie	" ..	1 50
	Les horloges dites de la Forêt Noire (coucous) ayant les montants (dans lesquels se trouve le mécanisme), en bois, sont admises au droit de 100 fr. les 100 kilog., y compris la cage. Les horloges dites à système Amé- ricain sont admises au droit de 150 fr. les 100 kilog., y compris la cage.		
	CATÉGORIE XIII.— <i>Pierres, Terres, Vaisselles, Verres, et Cristaux.</i>		
ex 240	Pierres précieuses ouvrées— (b.) Agates, opales, onyx, grenats, même enfilés	Kilog. ..	9 00
245	Terres colorées (bois, ocre, terres sigillées, naturelles et artificielles) ..	100 kilog. ..	3 00
ex 246	Pierres, terres, et minerais, non métal- liques— (a.) Plâtre, chaux, &c.		Exempts.
ex 252	Terre cuite— ex (a). D'un usage commun— ex 1. Poêles et parties de poêles de toutes formes	100 kilog. ..	2 50
253	Majoliques (faïences), ou ouvrages en pâte colorée, recouverts d'émail ou de vernis opaque— (a.) Carreaux, même peints en plusieurs couleurs et grès ordinaires	" ..	6 00
	(b.) Blanches ou de couleur, à fond uni	" ..	10 00
	(c.) De différentes couleurs ou autrement décorés	" ..	14 00
254	Poteries ou articles en terre blanche— (a.) Blanches et grès fins	" ..	16 00
	(b.) Diversement colorés ou peints, dorés, ou autrement décorés ..	" ..	25 00

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
255	Porcelaine—		Fr. c.
	(a.) Blanche	100 kilog. ..	16 00
	(b.) De couleur, dorée ou autrement décorée	„ ..	35 00
ex 258	Articles en verre et cristal—		
	(a.) Simplement soufflés ou moulés, non colorés, ni passés à la meule, ni taillés, ni gravés ..	„ ..	8 50
	(b.) Colorés, teints en pâte, taillés passés à la meule et à l'émeri et gravés	„ ..	15 00
	(c.) Peints, émaillés, dorés, argentés, ou autrement décorés	„ ..	18 00
259	Bouteilles communes	„ ..	4 00
260	Dames - jeannes, même entourées de tresses de paille ou de roseaux ..	„ ..	6 00
262	Verres, cristaux, et émaux, taillés en forme de perles (conterie), pierreries et prismes pour lustres, et articles similaires	„ ..	30 00
CATÉGORIE XIV.—Céréales, Farines, Pâtes, et Produits Végétaux, non compris dans d'autres Catégories.			
274	Fécules	100 kilog. ..	2 00
ex 275	Amidon—		
	(b.) Ordinaire, non de riz	„ ..	8 00
	(c.) Fin, ou en boîtes	„ ..	15 00
ex 283	Fruits secs—		
	ex (g.) Prunes sèches	„ ..	2 00
ex 284	Fruits, légumes, et plantes potagères—		
	(a.) Dans l'huile, le sel, ou le vinaigre ..	„ ..	20 00
286	Houblon		Exempt.
289	Tourteaux de noix et autres tourteaux oléagineux		Exempts.
CATÉGORIE XV.—Animaux, Produits et Dépouilles d'Animaux, non com- pris dans d'autres Catégories.			
291	Chevaux		Exempts.
300	Porcs—		
	(a.) Pesant jusqu'à 10 kilog. inclu- sivement	Tête ..	0 75
	(b.) Pesant de 10 kilog. jusqu'à 20 kilog.	„ ..	3 00
	(c.) Pesant plus de 20 kilog.	„ ..	3 75
ex 301	Viande—		
	(b.) Salée, fumée, ou autrement pré- parée	100 kilog. ..	25 00
ex 306	Poisson—		
	(a.) Frais de toute sorte		Exempt.
311	Fromage	100 kilog. ..	12 00
314	Graisses autres que le saindoux ..		Exempts.

Numéros du Tarif Général Italian.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
			Fr. c.
315	Acide stéarique (y compris la stéarine et la palmitine); cérésine pure ou mélangée de paraffine	100 kilog. ..	8 00
317	Abeilles vivantes avec leurs ruches ..	Exemptes.	
ex 325	Nacre—		
	(b.) Boutons de nacre	100 kilog. ..	100 00
ex 327	Objets d'ambre	„ ..	150 00
CATÉGORIE XVI.— <i>Objets divers.</i>			
ex 329	Mercerie—		
	De verre	100 kilog. ..	60 00
	ex (a). Commune—		
	1. Boîtes en bois ou autres matières avec assortiment de couleurs, petits pinceaux, petits plats, et autres accessoires pour la peinture, veilleuses avec mèche recouverte de stéarine, de cire, ou de suif, et munies de papier, de bois ou de toute autre matière, en boîtes avec le flotteur correspondant (sans défalcation des boîtes ni du flotteur)	„ ..	75 00
	2. Pinceaux de poils fins et de cheveux (y compris les pinceaux à barbe), à l'exception des pinceaux avec manche en ivoire, nacre, écaille, os, ou matières semblables; jouets de toute sorte (y compris les poupées), en tant qu'ils rentrent sous le No. 329 (a) (mercerie commune).. ..	„ ..	100 00
	ex (b). Fine—		
	1. Dont la matière dominante consiste en cuir de toute sorte, y compris le cuir de Russie..	„ ..	120 00
	2. Pipes, fume-cigares, et autres objets en écume de mer ..	„ ..	150 00
	3. Jouets de toute sorte (y compris les poupées), en tant qu'ils rentrent sous le No. 329 (b) (mercerie fine)	„ ..	200 00
ex 331	Instruments de musique—		
	(b.) Pianos—		
	1. Carrés et verticaux ..	Pièce ..	90 00
	2. A queue	„ ..	180 00
	(d.) Non dénommés, à cordes—		
	1. Pesant 400 grammes et moins	„ ..	1 50
	2. Pesant plus de 400 grammes.	„ ..	1 50

Numéros du Tarif Général Italien.	Désignation des Marchandises.	Unités.	
		Bases.	Droits.
<i>ex</i> 331 (<i>suite</i>).	Instruments de musique (<i>suite</i>)— (<i>e.</i>) Non dénommés, à vent— 1. Pesant 400 grammes et moins 2. Pesant plus de 400 grammes. (<i>f.</i>) Autres non dénommés	Pièce	Fr. c. 1 50 1 50 1 50
332	Pièces détachées d'instruments de mu- sique	100 kilog. ..	100 00
<i>ex</i> 334	Caoutchouc et gutta-percha— (<i>g.</i>) Ouvrés en passementerie, en rubans, et en tissus élastiques.	.. ..	130 00
<i>ex</i> 336	Bonnets rouges, en laine, tricotés, foulés, sans houppe ou avec houppe autre qu'en soie	Le 100 ..	60 00
<i>ex</i> 337	Chapeaux— <i>ex</i> (<i>b.</i>) En feutre, garnis ou non, pour hommes et garçons .. .. .	.. ..	50 00 20 00
343	Pinceaux, avec ou sans manche.	100 kilog. ..	

PROTOCOLE.

Au moment de procéder à la signature du Traité de Commerce de Douane, et de Navigation entre l'Italie et l'Empire Germanique, les Plénipotentiaires des deux Parties Contractantes sont convenus de ce qui suit :—

Article II du Traité.—Les dispositions du dit Article II ne s'appliquent pas aux personnes juridiques.

Les Sociétés Anonymes et les autres Sociétés commerciales industrielles, ou financières continueront à être régies par la Convention entre les Parties Contractantes signée à Berlin le 8 Août 1873, qui reste en vigueur.

Article VII du Traité.—*I. Tarif (A).*—*Droits d'Importation en Allemagne.*—La valeur de chaque article inscrit au Tarif (A) correspond à celle qu'ils ont dans le Tarif Général des Douanes en vigueur dans l'Empire Allemand au moment de la signature du présent Traité, sauf les exceptions qui y ont été stipulées.

1. *No. 5 (m).*—Le tannin est repris au No. 5 (*m*).

2. *No. 10 (e) et (f).*—Le verre irisé (*irisirendes glas*) est repris par les articles du Tarif relatifs au verre peint ou de couleur.

3. *No. 18 (f) 2.*—Les chapeaux de feutre dont la forme et la garniture ne permettent pas de savoir si ce sont des chapeaux d'homme ou de femme sont classés comme chapeaux d'homme sous le No. 18 (*f*) 2.

4. No. 20 (b) 1.—Les articles fabriqués en tout ou partie avec de l'ambre, du jayet, du jais, de l'écume de mer ou de la nacre, même mélangés avec d'autres matières, s'ils ne sont pas repris par le No. 20 (a), acquittent le droit réduit de 150 marcs (187 fr. 50 c.).

5. No. 25 (e) 1.—Ne sont admis comme vins de coupage au droit réduit de 10 marcs (12 fr. 50 c.) les 100 kilog. bruts, que les vins rouges et les moûts de vin rouge contenant : les premiers, au moins 12 pour cent d'alcool en volume ; et les derniers, c'est-à-dire les moûts, l'équivalent en glucose de ce volume d'alcool et au moins 28 grammes d'extrait sec par litre à 100 degrés centigrades et à condition d'être réellement employés aux coupages en observant les formalités prescrites, au point de vue du contrôle, par le Conseil Fédéral de l'Empire Germanique.

Par coupage on entend : pour le vin blanc destiné à subir cette opération, un mélange dans lequel le vin ou le moût des qualités mentionnées ci-dessus figure pour 60 pour cent au plus ; et pour le vin rouge soumis au même traitement, un mélange dans lequel le vin ou le moût précité entre au plus pour 33½ pour cent.

6. No. 25 (f).—Le beurre salé et fondu est passible du droit conventionnel accordé au beurre frais.

7. No. 25 (o).—Les droits sur les fromages Italiens *stracchino*, *gorgonzola*, et parmesan ne seront pas plus élevés que ceux qu'acquitteront, à leur entrée en Allemagne, les spécialités de fromages de la Suisse.

8. No. 27 (b).—Les imitations de carton-cuir (une espèce de carton de bois de couleur brune fabriqué avec des matières ligneuses, auquel, avant de le soumettre au lissage, on donne au moyen de la vapeur une couleur brune ressemblant à celle du cuir) sont repris au No. 27 (b).

9. No. 40 (a).—Les tissus huilés (tissus grossiers couverts de vernis à l'huile ou d'une composition à base d'huile, mélange d'huile et de caoutchouc) et les toiles pour toitures, c'est-à-dire en lin, grossières, imperméabilisées au moyen d'une composition à base d'huile (mélange d'huile et de caoutchouc), avec vernis à l'huile ou au moyen du goudron, ou par adjonction de substances métalliques (vert-de-gris, &c.), et les autres tissus grossiers préparés par les mêmes procédés, jouiront du droit réduit inscrit sous la rubrique (a) No. 40.

II. Tarif (B).—*Droits d'Importation en Italie*.—La valeur de chaque article inscrit au Tarif (B) correspond à celle qu'ils ont dans le Tarif Général des Douanes en vigueur dans le Royaume d'Italie au moment de la signature du Traité, sauf les exceptions qui y ont été stipulées.

1. No. 2.—Le vin naturel payera le droit afférent au vin, si sa force alcoolique ne dépasse pas 15 degrés. S'il contient plus de

15 degrés, il sera assujéti au droit sur le vin et à l'impôt grev l'alcool pour chaque degré excédant cette limite.

Les Parties Contractantes choisiront des experts pour étudier établir, d'un commun accord, les caractères que les vins doivent présenter pour être admis comme tels par la Douane.

2. No. 30 (c).—L'extrait de sumac est repris au No. 30 (c).

3. No. 30 (d).—Est considéré acide acétique impur ou brut acide pyroligneux brut l'acide acétique, même limpide comme l'eau, qui contient des substances ayant des odeurs empyreumatiques ou bitumineuses provenant de la distillation des bois et une acidité complexive inférieure à 50 pour cent calculée en acide acétique pur.

4. No. 53 (b).—Les cartouches vides munies de capsules ou autres matières fulminantes sont reprises au No. 53 (b).

5. No. 72. Par *laques de couleur aniline* on entend les combinaisons de l'aniline avec alumine, oxyde d'étain, de plomb ou de fer, sans aucune addition d'huile minérale ou d'alcool, à l'état sec ou humide en pâte.

6. *Catégorie VI*.—Il est convenu que les droits inscrits aux Nos. 82 et 86 du Tarif (B) n'entreront en vigueur qu'au 1^{er} Juillet 1892. Jusqu'à cette date, le *statu quo* pour les fils et tissus de lin et de coton tel qu'il résultait des dispositions du No. 4 du Protocole Final annexé au Traité de Commerce et de Navigation conclu avec l'Autriche-Hongrie le 7 Décembre, 1887,* est maintenu intégralement.

7. Nos. 82 et 86.—Les droits sur les fils et tissus de lin écrus ou blanchis seront, en aucun cas, plus élevés que ceux dont sont passibles les fils et tissus blanchis de la même catégorie.

8. No. 87 (a).—Le droit afférent aux toiles fortes de lin, chanvre ou jute, imperméabilisées au moyen de graisses ou de produits chimiques, en tant que ces toiles soient déjà confectionnées en bâches pour marchandises ou voitures, est établi à 30 fr. par 100 kilogrammes.

9. No. 94 (c).—La surtaxe de couture afférent aux bâches pour marchandises ou voitures, cousues et garnies de boucles, courroies, cordes, &c., est réduite de 50 à 10 pour cent.

10. No. 111.—Les tissus de coton à jour, non façonnés, pesant plus de 3 kilogrammes les 100 mètres carrés, acquittent le droit du tarif uni, selon l'espèce.

11. No. 135 (b).—La bonneterie façonnée visée sous la rubrique (b), No. 135, n'est pas soumise à la surtaxe par la couture nécessaire pour compléter l'article.

12. No. 142.—Les châles, écharpes et fichus de laine, tissés ou tricotés, imprimés ou non, garnis de franges en matière textile ou mélangés de moins de 12 pour cent de soie, acquitteront, si les franges constituent, dans la confection, la matière textile la plus

* Vol. LXXVIII, page 394.

imposée, le droit imposé aux franges d'après la matière dominante en poids avec majoration de 1 fr. par kilog.

La surtaxe pour la simple confection des châles, écharpes et fichus de laine, tissés ou tricotés, imprimés ou non, avec ou sans franges, de même que la surtaxe pour la confection des couvertures et tapis de laine simplement ourlés ou bordés, sont réduites de 50 à 20 pour cent.

13. *No. 142.*—Les châles, écharpes et fichus en tissus de laine, noirs, non brodés, avec franges de soie, ou brodés, même en soie, dans un seul coin, avec ou sans franges de soie, suivront le régime du tissu, selon l'espèce, accru de 25 pour cent. Ces articles seront exemptés de la surtaxe de couture.

14. *No. 142.*—Les confections pour hommes et garçons, les manteaux et jaquettes pour femmes, en laine, suivront le régime de la matière la plus imposée, quand celle-ci représentera plus d'un dixième de la superficie totale de l'article confectionné.

Si deux ou plusieurs parties des matières les plus imposées représentent, dans leur ensemble, plus de 10 pour cent de la dite superficie, l'article payera un droit correspondant à la moyenne arithmétique des droits afférents aux matières les plus imposées qui entrent dans la composition du produit.

15. *No. 160.*—La surtaxe de confection des fichus, écharpes et cache-nez, noirs ou de couleur, en tissu de soie ou de bourre de soie, façonnés ou non, ourlés, bordés, ou garnis de franges, est réduite de 50 à 20 pour cent.

16. *No. 163 (a).*—Les planches et planchettes pour articles d'emballage, les lames et carreaux pour parquets, non marquetés ni collés, et, en général, tous les articles en bois communs, non finis, même s'ils sont rabotés, rainés et bouvetés, sont repris par le *No. 163 (a) 2*.

Les planches, carreaux et feuilles en bois communs destinés aux placages sont repris par le *No. 163 (a) 2*, s'ils ont une épaisseur de 2 centim. ou plus.

Les bardeaux et les douves sont repris par le *No. 163 (a) 1*.

17. *No. 163 (b).*—Le renvoi aux numéros relatifs aux bois d'ébénisterie est conforme au répertoire aujourd'hui en vigueur.

18. *No. 165 (a).*—Les meubles non rembourrés en bois commun courbé sont repris par le *No. 165 (a) 1*, même s'ils sont combinés avec du bois commun non courbé, avec des ouvrages tressés en paille, en rotin et matières similaires, ou avec des parties tournées et ajourées, ou avec des ornements pressés ou obtenus par la machine à fraiser, non sculptés.

Les meubles non rembourrés en bois commun non courbé sont repris par le *No. 165 (a) 2*, même s'ils sont tournés, plaqués en bois commun, ajourés ou avec ornements obtenus par pression ou

par la machine à fraiser, et combinés avec des ouvrages tressés paille, rotin et matières similaires, mais à condition de n'être sculptés.

Les meubles de bois commun non rembourrés avec accessoires usuels et non ornementaux en métaux communs, même nickelés, peuvent être repris sous la rubrique 1 et 2 de (a) du No. 165.

19. No. 170 (a).—Les pelles, fourches, rateaux, plats, cuillères, écuellés et autres articles de ménage, les manches d'outils et instruments avec ou sans virole, les sabots communs en bois et les articles de dessin (planches, règles et similaires) sont repris en (a) et No. 170, selon la nature de la main-d'œuvre.

Les articles repris par le No. 170 le sont même quand ils sont garnis de ferrures, cercles, et autres accessoires en métaux communs.

Les fuseaux, rochets et bobines sont repris en (b) 1, No. 170, même quand ils sont en partie composés de bois d'ébénisterie.

20. No. 171.—Les boutons de toute espèce, en bois, sont classés dans les ouvrages en bois, selon la nature de la main-d'œuvre.

Les boutons de corozo et les tuyaux de pipe, de toute espèce en bois avec bouquins d'os, de corne, ou de bois suivent le régime de la mercerie de bois.

21. No. 177 (b).—Les ouvrages en vannerie fine peuvent être garnis de leurs accessoires habituels, en métal commun, même nickelés, mais sans caractère ornemental.

22. No. 183.—Le papier blanc ou teint en pâte, coupé pour faire des enveloppes en forme rectangulaire ou autre, est repris en (c), No. 183 (papier blanc ou peint en pâte, façonné en enveloppes).

23. No. 186 (a).—Sera considéré comme carton ordinaire tout carton en masse ou formé de couches de pâte réunies par compression sans aide de colle. Tout autre carton formé de couches de papier collées les unes aux autres ou recouvert de papier est classé comme carton fin.

Les cartons communs pesant moins de 300 grammes par mètre carré et présentant les caractères du papier d'emballage suivent le régime du papier d'emballage. Les cartons découpés sur les bords en forme de rectangle sont repris par le No. 186.

24. No. 187.—Sont compris dans les ouvrages en papier et en carton les articles en papier et en carton, avec accessoires, de matières différentes que le répertoire aujourd'hui en vigueur renferme au No. 187, et le papier-linge.

Les cartons coupés en morceaux ou pliés pour servir à la fabrication d'ouvrages en carton suivent le régime des cartons, selon l'espèce, accru de 12 fr. par 100 kilog.

25. No. 187.—Les boutons de papier mâché et de matières similaires sont admis au droit de 50 fr. par 100 kilog.

26. *No. 188.*—La musique lithographiée suit le régime de la musique imprimée.

27. *No. 190 (b).*—Les peaux de pelleterie brute, simplement rapiécées ou raccommodées non essentiellement, ne sont pas traitées comme ouvrages de pelleterie (*No. 192*), mais sont reprises en (*b*), *No. 190*.

28. *No. 192 (a).*—Les collets, boas, bonnets, bérêts de fourrure (excepté les bonnets et bérêts garnis pour femmes) avec doublure, rubans, cordons de soie et autres garnitures, sont repris par le *No. 192*.

29. *No. 201 (b) 2.*—Dans le classement des conduites en fonte, il n'y a pas à se préoccuper de ce qu'elles sont goudronnées.

30. *No. 206 (a) et (b).*—Le droit de 10 fr. établi sur les clous en fer ou en acier forgés leur est applicable, même quand ils sont polis à la machine ou bleuis au four.

31. *No. 206 (a).*—Les coffres-forts suivent le régime du *No. 2* de (*a*) et (*b*), *No. 206*, même s'ils ont des accessoires habituels, mais sans caractère ornemental, fussent-ils brunis, garnis d'autres métaux, même dorés.

32. *No. 206 (b) 2.*—Les articles de ménage (*vasellame*), tels que poêles à frire et similaires, en tôle de fer de toute épaisseur, seulement polis à l'intérieur, sont admis au droit de 16 fr. 50 c. par 100 kilog.

33. *No. 209 (a) et (b).*—L'acier trempé est assimilé à l'acier non trempé.

34. *No. 224.*—Les chaînes de montre, boucles, dés et agrafes ; les chaînettes et anneaux pour clefs, ainsi que les montures, serrures, garnitures, et fermoirs pour sacs et porte-monnaie en fer ou acier brunis, sont admis au droit de 80 fr. par 100 kilog.

35. *No. 234.*—Les ouvrages en argent plaqués d'or sont traités comme ouvrages en argent doré et non comme ouvrages en or.

36. *Nos. 252, 253, 254, et 255.*—Les pipes en argile, en faïence ou en porcelaine, même avec cercles ou couvercles de métaux communs non dorés, ni argentés, sont assimilés aux ouvrages en terre, faïence, ou porcelaine.

Les couvercles et autres accessoires en alliage de nickel avec lequel ces pipes peuvent être montées ne sont pas considérés comme métaux argentés.

Les mêmes articles avec cercles ou couvercles en métaux communs argentés sont repris en (*a*), *No. 329* (mercerie commune).

37. *Nos. 254 et 255.*—Les moulages de toute espèce, y compris les ornements en pâte, ne modifient en quoi que ce soit le classement.

38. *No. 258.*—Les verres et cristaux qui portent la marque ou le nom de la fabrique, ou une plaque en verre ou une incision pour indiquer leur capacité, peuvent être repris en (*a*), *No. 258*.

Les ouvrages de verre ou de cristal, simplement soufflés ou moulés, sont repris en (a), No. 258, même s'ils ont le bord, le fond ou le bouchon passés à la meule ou poli.

Les ouvrages de verre et de cristal compris sous la rubrique No. 258, peuvent être gravés en tout ou partie.

39. No. 258 (b) et (c).—Le verre creux blanc ou de couleur, simplement soufflé, non taillé, non poli, non passé à l'émeri, gravé, argenté intérieurement et même recouvert extérieurement en tout ou partie, d'un vernis jaune ou de peintures grossières (boules pour jardins, chandeliers, vases, coupes, salières, et articles similaires), sont admis au droit de 12 fr. par 100 kilog.

40. No. 259.—Les bouteilles de toute forme contenant des boissons minérales ou de la bière sont soumises au régime des bouteilles communes vides.

41. No. 265.—Le malt suit le régime de l'orge; les légumineuses seches sont repris par (b), No. 265.

42. No. 270.—L'amidon de pomme de terre, excepté la dextrose et la féculé de pomme de terre grillée, suit le régime des féculés.

43. No. 306 (c).—Les sardelles (*clupea sardina*, *C. pilchardus*, *C. papalina*), les anchois (*engraulis encrasicolus*), les capelans (*gobius minutus*), les "scoranzo" (*alburnus alborella*), les maquereaux (*scomber scombrus*), les maquereaux colias (*S. colias*), les "arsigole" (*belona rostrata*, *B. acus*), les "maride" (*maris vulgaris*), les "bobi" (*box vulgaris*), et les "suri" (*trachurus*), salés, sont admis en franchise. Est également admis en franchise de droits la saumure importée séparément, mais au même temps que le poisson et jusqu'à concurrence d'un dixième du poids du poisson.

44. No. 326 (b).—Les boutons de corne et d'os sont admis au droit de 50 fr. par 100 kilog.

45. No. 329.—Les portefeuilles, porte-monnaie, porte-cigares, livrets pour notes et ouvrages similaires en peaux de toute sorte, compris le cuir de Russie, montés en métaux communs, non dorés ni argentés, sont assimilés à la mercerie commune. Les accessoires en alliages de nickel dont ces articles pourraient être garnis ne sont pas considérés comme métaux argentés.

46. L'application des marques ou des noms de fabrique sur les marchandises n'exerce aucune influence sur le traitement douanier.

Article XI du Traité.—Les certificats de jauge délivrés par les deux pays seront respectivement acceptés par les deux pays conformément à l'accord conclu à ce sujet par les Parties Contractantes.

Article XVII du Traité.—Les Plénipotentiaires soussignés sont convenus de soumettre le présent Protocole aux Parties Contractantes en même temps que le Traité, et que par le seul fait de l'échange

ratifications du Traité, les accords et déclarations qui sont mentionnés dans le Protocole seront considérés comme approuvés sans autre ratification spéciale.

Fait à Rome, le 6 Décembre, 1891.

(L.S.) RUDINI.

(L.S.) G. MALVANO.

(L.S.) N. MIRAGLIA,

(L.S.) B. STRINGHER.

(L.S.) A. MONZILLI.

(L.S.) GRAF E. SOLMS.

NOTIFICATION by the Government of India, respecting the Appointment of the Judicial Assistant to Her Majesty's Consul-General for Fars to be a Subordinate Judge within the Limits of the Persian Coast and Islands.—Simla, June 23, 1891.

IN virtue of the powers conferred by section 23 of "The Persian Coast and Islands Order in Council, 1889,"* and section 22 of "The Bombay Civil Courts Act, 1869," as applied to the said coast and islands by the said Order, the Governor-General in Council is pleased to appoint the officer for the time being holding the appointment of Judicial Assistant to Her Majesty's Consul-General for Fars, and the coast and islands of the Persian Gulf, to be a Subordinate Judge within the local limits of the said coast and islands; and, under sections 24 and 28 of the said Act, to invest him with the powers of a Subordinate Judge of the first class, and of a Judge of a Court of Small Causes for the trial of suits cognizable by such Courts up to the amount of 500 rupees.

This appointment is made subject to the assent of the Secretary of State,† which will hereafter be published in the "Gazette of India."

* Vol. LXXXI, page 913.

† Approved by the Secretary of State for India, August 20, 1891.

[1890-91. LXXXIII.]

*CORRESPONDENCE between Great Britain and the United States, respecting the Behring Sea Seal Fisheries.—1891.**

[Continued from Vol. LXXXII, pages 202 to 291.]

Sir J. Parncefote to the Marquess of Salisbury.—(Received July 1

MY LORD,

Washington, July 4, 1891.

I HAVE the honour to transmit a copy of the reply which I have received from the Secretary of State to my note of the 27th ultimo, of which a copy was inclosed in my despatch of that date.

It appears to me that Mr. Blaine attaches an undue significance to the word "forthwith" in my above-mentioned note.

It is obvious that, if British sealers are to be requested not to enter Behring Sea this season, on the ground of the proposed arbitration, there must be no delay in proceeding to that mode of adjustment, and it was, therefore, naturally made a condition that "that the President should forthwith accept a formal arbitration which your Lordship prescribes," but "that the two Governments should agree forthwith to refer to arbitration" the question of the legality of the seizures of British sealing-vessels.

That is the question of law in difference between the two Governments, and I am at a loss to understand why Mr. Blaine should complain of its being so stated.

I shall have the honour of addressing your Lordship in a separate despatch on the present situation of the question, which has been brought back again by the United States' Government to a question of legal right.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE

(Inclosure.)—Mr. Blaine to Sir J. Parncefote.

SIR,

Department of State, Washington, July 2, 1891.

YOUR note of the 27th ultimo, covering Lord Salisbury's reply to the friendly suggestion of the President, was duly received. It was the design of the President, if Lord Salisbury had been favourably inclined to his proposition, to submit a form of settlement for the consideration of Her Majesty's Government which the President believed would end all dispute touching privileges

* This correspondence is extracted from Parliamentary Papers, United States, No. 1 and No. 2, 1891.

Behring Sea. But Lord Salisbury refused to accept the proposal unless the President should "forthwith" accept a formal arbitration which his Lordship prescribes. The President's request was made in the hope that it might lead to a friendly basis of agreement, and he cannot think that Lord Salisbury's proposition is responsive to his suggestion. Besides, the answer comes so late that it would be impossible now to proceed this season with the negotiation the President had desired.

An agreement to arbitrate requires careful consideration. The United States is perhaps more fully committed to that form of international adjustment than any other Power, but it cannot consent that the form in which arbitration shall be undertaken shall be decided without full consultation and conference between the two Governments.

I beg further to say that you must have misapprehended what I said touching British claims for injuries and losses alleged to have been inflicted upon British vessels in the Behring Sea by agents of the United States. My declaration was that arbitration would logically and necessarily include that point. It is not to be conceded, but decided with other issues of far greater weight.

I have, &c.,

Sir J. Pauncefote.

JAMES G. BLAINE.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received August 25.)

MY LORD,

Magnolia, August 14, 1890.

I HAD the honour to receive on the 11th instant your Lordship's despatch of the 2nd of this month, relating to the Behring Sea controversy, and I now beg to inclose herewith a copy of the note with which, in accordance with the instructions contained in that despatch, I forwarded a copy of the same to the Secretary of State.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(Inclosure.)—Sir J. Pauncefote to Mr. Blaine.

SIR,

Magnolia, August 12, 1890.

I TRANSMITTED without delay to the Marquess of Salisbury a copy of your note of the 30th June relating to the Behring Sea controversy, and in which you comment upon a despatch from his Lordship, dated the 22nd May, of which I had the honour to leave a copy with you.

I have now received a despatch from Lord Salisbury, dated the

2nd August, in reply to those comments, and, in accordance with his Lordship's instructions, I have the honour to transmit to you herewith a copy of it and of its inclosures. You will observe that in the last paragraph, I am directed to state that Her Majesty's Government have no desire whatever to refuse to the United States any jurisdiction in Behring Sea which was conceded by Great Britain to Russia, and which properly accrues to the present possessors of Alaska in virtue of Treaties or of the law of nations; and that if the United States' Government, after examination of the evidence and arguments which are produced in that despatch, still differ from them as to the legality of the recent captures in that sea, Her Majesty's Government are ready to agree that the question, with all the issues that depend on it, should be referred to impartial arbitration.

In that case I am authorized to consider, in concert with you, the method of procedure to be followed.

I have, &c.,

J. G. Blaine, Esq.

JULIAN PAUNCEFOTE

*Sir J. Pauncefote to the Marquess of Salisbury.—(Received
December 30.)*

MY LORD,

Washington, December 19, 1898

I HAVE the honour to transmit herewith a printed copy of a note which I received on the 17th instant from the Secretary of State.

It contains the reply of the United States' Government to your Lordship's despatch of the 2nd August last, offering on behalf of Her Majesty's Government to submit to arbitration the question of the legality of the recent seizures of British sealing-vessels in the Behring Sea by United States' revenue cruisers.

The voluminous character of this note precludes any attempt to give even a brief abstract of its contents within the limits of this despatch.

Its main feature, however, is that while the United States Government decline to submit to arbitration the real question in controversy, namely, the legality of the seizures of British vessels in the Behring Sea outside of territorial waters, they express their willingness to submit to arbitration certain historical and political questions which, in my humble opinion, would raise false issues, however pertinent they may be as supplying materials for argument in support of the American contention. For, even if all these questions were decided in favour of the United States, it would not follow that the seizures were justified, or that the claim of

United States to the control of any part of the Behring Sea outside of territorial waters could be supported by international law.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(Inclosure.)—Mr. Blaine to Sir J. Pauncefote.

SIR, *Department of State, Washington, December 17, 1890.*

YOUR note of the 12th August, which I acknowledged on the 1st September, inclosed a copy of a despatch from the Marquess of Salisbury, dated the 2nd August, in reply to my note of the 30th June.

The considerations advanced by his Lordship have received the careful attention of the President, and I am instructed to insist upon the correctness and validity of the position which has been earnestly advocated by the Government of the United States in defence of American rights in the Behring Sea.

Legal and diplomatic questions, apparently complicated, are often found, after prolonged discussion, to depend on the settlement of a single point. Such, in the judgment of the President, is the position in which the United States and Great Britain find themselves in the pending controversy touching the true construction of the Russo-American and Anglo-Russian Treaties of 1824 and 1825. Great Britain contends that the phrase "Pacific Ocean," as used in the Treaties, was intended to include, and does include, the body of water which is now known as the Behring Sea. The United States contends that the Behring Sea was not mentioned, or even referred to, in either Treaty, and was in no sense included in the phrase "Pacific Ocean." If Great Britain can maintain her position that the Behring Sea at the time of the Treaties with Russia of 1824 and 1825 was included in the Pacific Ocean, the Government of the United States has no well-grounded complaint against her. If, on the other hand, this Government can prove beyond all doubt that the Behring Sea, at the date of the Treaties, was understood by the three Signatory Powers to be a separate body of water, and was not included in the phrase "Pacific Ocean," then the American case against Great Britain is complete and undeniable.

The dispute prominently involves the meaning of the phrase "north-west coast," or "north-west coast of America." Lord Salisbury assumes that the "north-west coast" has but one meaning, and that it includes the whole coast stretching northward to the Behring Straits. The contention of this Government is that by long prescription the "north-west coast" means the coast of the Pacific Ocean, south of the Alaskan Peninsula, or south of the

60th parallel of north latitude; or, to define it still more accurately, the coast, from the northern border of the Spanish possessions ceded to the United States in 1819, to the point where the Spanish claims met the claims of Russia, viz., from 42° to 60° north latitude. The Russian authorities for a long time assumed that 59° 30' was the exact point of latitude, but subsequent adjustments fixed it at 60°. The phrase "north-west coast," or "north-west coast of America," has been well known and widely recognized in popular usage in England and America from the date of the first trading to that coast, about 1784.* So absolute has been this prescription that the distinguished historian Hubert Howe Bancroft has written an accurate history of the north-west coast, which at different times during a period of seventy-five years, was the scene of important contests between at least four Great Powers. To render the understanding explicit, Mr. Bancroft has illustrated the north-west coast by a carefully prepared map. The map will be found to include precisely the area which has been steadily maintained by the Government in the pending discussion.†

The phrase "north-west coast of America" has not infrequently been used simply as the synonym of the "north-west coast," but has also been used in another sense as including the American coast of the Russian possessions as far northward as the Straits of Behring. Confusion has sometimes arisen in the use of the phrase "north-west coast of America," but the true meaning can always be determined by reference to the context.

The Treaty between the United States and Russia was concluded on the 17th April, 1824, and that between Great Britain and Russia was concluded on the 28th February, 1825. The full and accurate text of both Treaties will be found in Inclosure 1. The Treaty between the United States and Russia is first in the order of time, but I shall consider both Treaties together. I quote the first Articles of each Treaty, for, to all intents and purposes, they are identical in meaning, though differing somewhat in phrase.

Article I in the American Treaty is as follows:—

[See Vol. XII, page 597.]

Article I in the British Treaty is as follows:—

[See Vol. XII, page 39.]

Lord Salisbury contends that—

"The Russian Government had no idea of any distinction between the Behring Sea and the Pacific Ocean, which latter they considered a"

* The same designation obtained in Europe. As early as 1803, in a map published by the Geographic Institute at Weimar, the coast from Columbia River (49°) to Cape Elizabeth (60°) is designated as the "Nörd West Küste."

† For map, see Parliamentary Paper C. 6253, 1891.

reaching southward from Behring Straits. Nor throughout the whole of the subsequent correspondence is there any reference whatever on either side to any distinctive name for Behring Sea, or any intimation that it could be considered otherwise than as forming an integral part of the Pacific Ocean."

The Government of the United States cordially agrees with Lord Salisbury's statement that throughout the whole correspondence connected with the formation of the Treaties there was no reference whatever by either side to any distinctive name for Behring Sea, and for the very simple reason which I have already indicated, that the negotiation had no reference whatever to the Behring Sea, but was entirely confined to a "strip of land" on the north-west coast and the waters of the Pacific Ocean adjacent thereto. For future reference I call special attention to the phrase "strip of land."

I venture to remind Lord Salisbury of the fact that Behring Sea was, at the time referred to, the recognized name in some quarters, and so appeared on many authentic maps several years before the Treaties were negotiated. But, as I mentioned in my note of the 30th June, the same sea had been presented as a body of water separate from the Pacific Ocean for a long period prior to 1825. Many names had been applied to it, but the one most frequently used and most widely recognized was the Sea of Kamschatka. English statesmen of the period when the Treaties were negotiated had complete knowledge of all the geographical points involved. They knew that on the map published in 1784 to illustrate the voyages of the most eminent English navigator of the eighteenth century the "Sea of Kamschatka" appeared in absolute contradistinction to the "Great South Sea" or the Pacific Ocean. And the map, as shown by the words on its margin, was "prepared by Lieutenant Henry Roberts under the immediate inspection of Captain Cook."

Twenty years before Captain Cook's Map appeared, the "London Magazine" contained a map on which the Sea of Kamschatka was conspicuously engraved. At a still earlier date—even as far back as 1732—Gvoedef, Surveyor of the Russian expedition of Shestakoff in 1730 (who, even before Behring, sighted the land of the American continent), published the sea as bearing the name of Kamschatka. Muller, who was historian and geographer of the second expedition of Behring in 1741, designated it as the Sea of Kamschatka in his map published in 1761.

I inclose a list of a large proportion of the most authentic maps published during the 90 years prior to 1825 in Great Britain, in the United States, the Netherlands, France, Spain, Germany, and Russia—in all 105 maps—on every one of which the body of water now known as Behring Sea was plainly distinguished by a name separate from the Pacific Ocean. On the great majority it is named the Sea of Kain-

schatka, a few use the name of Behring, while several other designations are used. The whole number, aggregating, as they did, the opinion of a large part of the civilized world, distinguished the sea, no matter under what name, as altogether separate from the Pacific Ocean.

Is it possible, that with this great cloud of witnesses before the eyes of Mr. Adams and Mr. George Canning, attesting the existence of the Sea of Kamschatka, they would simply include it in the phrase "Pacific Ocean," and make no allusion whatever to it as a separate Sea, when it was known by almost every educated man in Europe and America to have been so designated numberless times? Is it possible that Mr. Canning and Mr. Adams, both educated in common law, could believe that they were acquiring for the United States and Great Britain the enormous rights inherent in the Sea of Kamschatka without the slightest reference to that sea, or without any description of its metes and bounds, when neither of them would have paid for a village house lot unless the deed for it should recite every fact and feature necessary for the identification of the lot against any other piece of ground on the surface of the globe? When we contemplate the minute particularity, the tedious verbiage, the duplications and the reduplications employed to secure unimpeachable plainness in framing Treaties, it is impossible to conceive that a fact of this great magnitude could have been omitted from the instructions written by Mr. Adams and Mr. G. Canning : Secretaries for Foreign Affairs in their respective countries : impossible that such a fact could have escaped the notice of Mr. Middleton and Count Nesselrode, of Mr. Stratford Canning and M. Poletica, who were the negotiators of the two Treaties. It is impossible that, in the Anglo-Russian Treaty, Count Nesselrode, Mr. Stratford Canning, and M. Poletica could have taken sixteen lines to recite the titles and honours they had received from their respective Sovereigns, and not even suggest the insertion of one line, or even word, to secure so valuable a grant to England of the full freedom of the Behring Sea.

There is another argument of great weight against the assumption of Lord Salisbury that the phrase "Pacific Ocean," as used in Article I of both the American and British Treaties, was intended to include the waters of the Behring Sea. It is true that, by the Treaties with the United States and Great Britain, Russia practically withdrew the operation of the Ukase of 1821 from the waters of the north-west coast on the Pacific Ocean ; but the proof is conclusive that it was left in full force over the waters of the Behring Sea. Lord Salisbury cannot have ascertained the value of the Behring Sea to Russia when he assumed that, in the Treaties of 1824 and 1825, the Imperial Government had, by mere inclusion in another

phrase, with apparent carelessness, thrown open all the resources and all the wealth of those waters to the citizens of the United States and to the subjects of Great Britain.

Lord Salisbury has, perhaps, not thought it worth while to make any examination of the money-value of Alaska and the waters of the Behring Sea at the time the Treaties were negotiated and in the succeeding years. The first period of the Russian-American Company's operations had closed before the Ukase of 1821 was issued. Its affairs were kept secret for a long time, but are now accurately known. The money advanced for the capital stock of the Company at its opening in 1799 amounted to 1,238,746 roubles. The gross sales of furs and skins by the Company at Kodiak and Canton from that date up to 1820 amounted to 20,024,698 roubles. The net profit was 7,685,000 roubles for the 21 years—over 620 per cent. for the whole period, or nearly 30 per cent. per annum.

Reviewing these facts, Bancroft, in his "History of Alaska," a standard work of exhaustive research, says :—

"We find this powerful *monopoly* firmly established in the favour of the Imperial Government, many nobles of high rank and several members of the Royal Family being among the shareholders."

And yet Lord Salisbury evidently supposes that a large amount of wealth was carelessly thrown away by the Royal Family, the nobles, the courtiers, the capitalists, and the speculators of St. Petersburg in a phrase which merged the Behring Sea in the Pacific Ocean. That it was not thrown away is shown by the transactions of the Company for the next twenty years.

The second period of the Russian-American Company began in 1821 and ended in 1841. Within that time the gross revenues of the Company exceeded 61,000,000 roubles. Besides paying all expenses and all taxes, the Company largely increased the original capital, and divided 8,500,000 roubles among the shareholders. These dividends and the increase of the stock showed a profit on the original capital of 55 per cent. per annum for the whole twenty years—a great increase over the first period. It must not be forgotten that, during sixteen of these twenty years of constantly increasing profits, the Treaties which, according to Lord Salisbury, gave to Great Britain and the United States equal rights with Russia in the Behring Sea, were in full force.

The proceedings which took place when the second period of the Russian-American Company was at an end are thus described in Bancroft's "History of Alaska":—

" . . . 'In the variety and extent of its operations,' declare the members of the Imperial Council, 'no other Company can compare with it. In addition to a commercial and industrial monopoly, the Government has invested it with a portion of its own powers in

governing the vast and distant territory over which it now has control. A change in this system would now be of doubtful benefit. *To open our ports to all hunters promiscuously would be a death-blow to the fur trade*, while the Government, having transferred to the Company the control of the Colonies, could not now resume it without great expense and trouble, and would have to create new financial resources for such a purpose.' "

The Imperial Council, it will be seen, did not hesitate to call the Russian-American Company a *monopoly*, which it could not have been if Lord Salisbury's construction of the Treaty was correct. Nor did the Council feel any doubt that to open the ports of the Behring Sea "to all hunters promiscuously would be a death-blow to the fur trade."

Bancroft says further :—

... "This opinion of the Imperial Council, together with the Charter defining the privileges and duties of the Company, was delivered to the Czar, and received his signature on the 1st of October, 1844. The new Charter did not differ in its main features from that of 1821, though the boundary was, of course, changed in accordance with the English and American Treaties. None of the Company's rights were curtailed, and the additional privileges were granted of trading with certain ports in China and of shipping tea direct from China to St. Petersburg."

The Russian-American Company was thus chartered for a third period of twenty years, and at the end of the time it was found that the gross receipts amounted to 75,770,000 roubles, a small part of it from the tea trade. The expenses of administration were very large. The shareholders received dividends to the amount of 10,210,000 roubles—about 900 per cent. for the whole period of 45 per cent. per annum on the original capital. At the time the third period closed, in 1862, the Russian Government saw an opportunity to sell Alaska, and refused to continue the Charter of the Company. Agents of the United States had initiated negotiations for the transfer of Alaska as early as 1859. The Company continued, practically, however, to exercise its monopoly until 1867, when Alaska was sold by Russia to the United States. The enormous profits of the Russian-American Company in the fur trade of the Behring Sea continued under the Russian flag for more than forty years after the Treaties of 1824 and 1825 had been concluded. And yet Lord Salisbury contends that during this long period the exceptional profits from the fur trade Great Britain and the United States had as good a right as Russia to take part in these highly lucrative ventures.

American and English ships in goodly numbers during the whole period annually visited and traded on the north-west coast

on the Pacific Ocean. And yet, of all these vessels of the United States and Great Britain, not one ever sought to disturb the fur fisheries of the Behring Sea or along its coasts, either of the continent or of the islands. So far as known, it is believed that neither American nor English ships ever attempted to take one fur-seal at the Pribyloff Islands or in the open waters of the Behring Sea during that period. The 100-mile limit was for the preservation of all these fur animals, and this limit was observed for that purpose by all the maritime nations that sent vessels to the Behring waters.

Can any one believe it to be possible that the maritime, adventurous, gain-loving people of the United States and of Great Britain could have had such an inviting field open to them forty years and yet not one ship of either nation enter the Behring Sea to compete with the Russian-American Company for the inordinate profits which had flowed so steadily and for so long a period into their treasury from the fur trade? The fact that the ships of both nations refrained, during that long period, from taking a single fur-seal inside the shores of that sea is a presumption of their lack of right and their recognized disability so strong that, independently of all other arguments, it requires the most authentic and convincing evidence to rebut it. That English ships did not enter the Behring Sea to take part in the catching of seals is not all that can be said. Her acquiescence in Russia's power over the seal fisheries was so complete that during the forty years of Russia's supremacy in the Behring Sea (that followed the Treaties of 1824-25) it is not believed that Great Britain even made a protest, verbal or written, against what Bancroft describes as the "Russian monopoly."

A certain degree of confusion and disorganization in the form of the Government that had existed in Alaska was the inevitable accompaniment of the transfer of sovereignty to the United States. The American title was not made complete until the money, specified as the price in the Treaty, had been appropriated by Congress and paid to the Russian Minister by the Executive Department of the Government of the United States. This was effected in the latter half of the year 1868. The acquired sovereignty of Alaska carried with it by Treaty "all the rights, franchises, and privileges" which had belonged to Russia. A little more than a year after the acquisition, the United States transferred certain rights to the Alaska Commercial Company over the seal fisheries of Behring Sea for a period of twenty years. Russia had given the same rights (besides rights of still larger scope) to the Russian-American Company for three periods of twenty years each, without a protest from the British Government, without a single interference from British ships. For these reasons this Government

again insists that Great Britain and the United States recognized, respected, and obeyed the authority of Russia in the Behring Sea and did it for more than forty years after the Treaties with Russia were negotiated. It still remains for England to explain why she persistently violates the same rights when transferred to the ownership of the United States.

Article II of the American Treaty is as follows :—

“ Article II. With a view of preventing the rights of navigation and of fishing exercised upon the Great Ocean by the citizens and subjects of the High Contracting Powers from becoming the pretext for an illicit trade, it is agreed that the citizens of the United States shall not resort to any point where there is a Russian establishment without the permission of the Governor or Commander; and that reciprocally, the subjects of Russia shall not resort, without permission, to any establishment of the United States upon the north-west coast.”

Article II of the British Treaty is as follows :—

“ Article II. In order to prevent the right of navigation and fishing, exercised upon the ocean by the subjects of the High Contracting Parties, from becoming the pretext for an illicit commerce it is agreed that the subjects of His Britannic Majesty shall not land at any place where there may be a Russian establishment without the permission of the Governor or Commandant; and, on the other hand, the Russian subjects shall not land, without permission, at any British establishment on the north-west coast.”

In Articles II of the Treaties it is recognized that both the United States and Great Britain have establishments on the “ north-west coast,” and, as neither country ever claimed any territory north of the 60th parallel of latitude, we necessarily have the meaning of the north-west coast significantly defined in exact accordance with the American contention.

An argument, altogether historical in its character, is of great and, I think, conclusive force touching this question. It will be remembered that the Treaty of the 20th October, 1818, between the United States and Great Britain, comprised a variety of topics among others, in Article III, the following :—

[See Vol. VI, page 4.]

While this Article placed upon a common basis for ten years the rights of Great Britain and America on the north-west coast, it made no adjustment of the claims of Russia on the north, or of Spain on the south, which are referred to in the Article as “ any other Power or State.” Russia had claimed down to latitude 55° under the Ukase of 1799. Spain had claimed indefinitely north

ward from the 42nd parallel of latitude. But all the Spanish claims had been transferred to the United States by the Treaty of 1819,* and Russia had been so quiet until the Ukase of 1821 that no conflict was feared. But after that Ukase a settlement, either permanent or temporary, was imperatively demanded.

The proposition made by Mr. Adams which I now quote shows, I think, beyond all doubt, that the dispute was wholly touching the north-west coast on the Pacific Ocean. I make the following quotation from Mr. Adams' instruction to Mr. Middleton, our Minister at St. Petersburg, on the 22nd July, 1823:—

“By the Treaty of the 22nd February, 1819,* with Spain, the United States acquired all the rights of Spain north of latitude 42 ; and by Article III of the Convention between the United States and Great Britain of the 20th October, 1818,† it was agreed that any country that might be claimed by either Party on the north-west coast of America, westward of the Stony Mountains, should, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from that date, to the vessels, citizens, and subjects of the two Powers, without prejudice to the claims of either party or of any other State.

“*You are authorized to propose an Article of the same import for a term of ten years from the signature of a Joint Convention between the United States, Great Britain, and Russia.*”

Instructions of the same purport were sent by the same mail to Mr. Rush, our Minister at London, in order that the proposition should be completely understood by each of the three Powers. The confident presumption was that this proposition would, as a temporary settlement, be acceptable to all parties. But before there was time for full consideration of the proposition, either by Russia or Great Britain, President Monroe, in December 1823, proclaimed his famous doctrine of excluding future European Colonies from this continent. Its effect on all European nations holding unsettled or disputed claims to territory was to create a desire for prompt settlement so that each Power could be assured of its own, without the trouble or cost of further defending it. Great Britain was already entangled with the United States on the southern side of her claims on the north-west coast. That Agreement she must adhere to, but she was wholly unwilling to postpone a definite understanding with Russia as to the northern limit of her claims on the north-west coast. Hence a permanent Treaty was desired, and in both Treaties the “ten year” feature was recognized—in Article VII of the British Treaty and in Article IV of the

* Vol. VIII. page 524.

† Vol. VI, page 3.

American Treaty. But neither in the correspondence nor in the personal conferences that brought about the Agreement was there a single hint that the settlement was to include anything else whatever than the north-west coast on the Pacific Ocean, south of the 60th parallel of north latitude.

Fortunately, however, it is not necessary for the United States to rely on this suggestive definition of the north-west coast, or upon the historical facts above given. It is easy to prove from other sources that in the Treaty between the United States and Russia the coast referred to was that which I have defined as the "north-west coast" on the Pacific Ocean south of 60° north latitude, or, as the Russians for a long time believed it, 59° 30'. We have in the Department of State the originals of the Protocols between our Minister at St. Petersburg, Mr. Henry Middleton, and Count Nesselrode, of Russia, who negotiated the Treaty of 1824. I quote, as I have quoted in my note of the 30th June, a Memorandum submitted to Count Nesselrode by Mr. Middleton as part of the 4th Protocol:—

"Now, it is clear, according to the facts established, that neither the Russian nor any other European Power has the right of dominion upon the Continent of America between the 50th and 60th degrees of north latitude.

"Still less has she the dominion of the adjacent maritime territory, or of the sea which washes these coasts, a dominion which is only accessory to the territorial dominion.

"Therefore she has not the right of exclusion or of admission on these coasts, nor in these seas, which are free seas.

"The right of navigating all the free seas belongs, by natural law, to every independent nation, and even constitutes an essential part of this independence.

"The United States have exercised navigation in the seas, and commerce upon the coasts above mentioned, from the time of their independence; and they have a perfect right to this navigation as to this commerce, and they can only be deprived of it by their own act or by a Convention."

Mr. Middleton declares that Russia had not the right of dominion "upon the Continent of America between the 50th and 60th degrees of north latitude." Still less has she the dominion of "the adjacent maritime territory or the sea which washes these coasts." He further declares that Russia had not the "right of exclusion or of admission on these coasts, nor in these seas, which are free seas"—that is, the coast and seas between the 50th and 60th degrees of north latitude on the body of the continent.

The following remark of Mr. Middleton deserves special attention:—

"The right of navigating all the *free seas* belongs, by natural law, to every independent nation, and even constitutes an essential part of this independence."

This earnest protest by Mr. Middleton, it will be noted, was against the Ukase of Alexander which proposed to extend Russian sovereignty over the Pacific Ocean as far south as the 51st degree of latitude, at which point, as Mr. Adams reminded the Russian Minister, that ocean is 4,000 miles wide. It is also to be specially noted that Mr. Middleton's double reference to "the free seas" would have no meaning whatever if he did not recognize that freedom on certain seas had been restricted. He could not have used the phrase if he had regarded all seas in that region as "free seas."

In answer to my former reference to these facts (in my note of the 30th June) Lord Salisbury makes this plea:—

"Mr. Blaine states that when Mr. Middleton declared that Russia had no right of exclusion on the coasts of America between the 50th and 60th degrees of north latitude, nor in the seas which washed those coasts, he intended to make a distinction between Behring Sea and the Pacific Ocean. But on reference to a map it will be seen that the 60th degree of north latitude strikes straight across Behring Sea, leaving by far the larger and more important part of it to the south; so that I confess it appears to me that by no conceivable construction of his words can Mr. Middleton be supposed to have excepted that sea from those which he declared to be free."

If his Lordship had examined his map somewhat more closely, he would have found my statement literally correct. When Mr. Middleton referred to "the Continent of America between the 50th and 60th degrees of north latitude," it was impossible that he could have referred to the coast of Behring Sea, for the very simple reason that the 50th degree of latitude is altogether south of the Behring Sea. The fact that the 60th parallel "strikes straight across the Behring Sea" has no more pertinence to this discussion than if his Lordship had remarked that the same parallel passes through the Sea of Okhotsk, which lies to the west of Behring Sea, just as the arm of the North Pacific lies to the east of it. Mr. Middleton was denying Russia's dominion upon a continuous line of coast upon the continent between two specified points and over the waters washing that coast. There is such a continuous line of coast between the 50th and 60th degrees on the Pacific Ocean; but there is no such line of coast on the Behring Sea, even if you measure from the southernmost island of the Aleutian chain.

In a word, the argument of Lord Salisbury on this point is based upon a geographical impossibility.

But, if there could be any doubt left as to what coast and what waters Mr. Middleton referred, an analysis of the last paragraph of the 4th Protocol will dispel that doubt. When Mr. Middleton declared that "*the United States have exercised navigation in the seas, and commerce upon the coasts above mentioned from the time of their independence,*" he makes the same declaration that had been previously made by Mr. Adams. That declaration could only refer to the north-west coast as I have described it, or Mr. Middleton phrases it, "the Continent of America between 50th and 60th degrees of north latitude."

Even his Lordship would not dispute the fact that it was upon this coast and in the waters washing it that the United States and Great Britain had exercised free navigation and commerce continuously since 1784. By no possibility could that navigation and commerce have been in the Behring Sea. Mr. Middleton, a close student of history, and experienced in diplomacy, could not have declared that the United States had "exercised navigation" in the Behring Sea, and "commerce upon its coasts," *from the time of their independence*. As a matter of history, there was no trade and no navigation (except the navigation of explorers) by the United States and Great Britain in the Behring Sea in 1784, even at the time these Treaties were negotiated. Captain Cook's voyage of exploration and discovery through the waters of that sea was completed at the close of the year 1778, and his "Voyage to the Pacific Ocean" was not published in London until five years after his death, which occurred at the Sandwich Islands on 14th February, 1779. The Pribyloff Islands were first discovered one in 1786 and the other in 1787. Seals were taken there for a few years afterwards by the Lebedef Company of Russia, subsequently consolidated into the Russian-American Company; but the taking of seals on those islands was then discontinued by the Russians until 1803, when it was resumed by the Russian-American Company.

At the time these Treaties were negotiated there was only one Settlement, and that of Russians, on the shores of the Behring Sea, and the only trading vessels which had entered that sea were the vessels of the Russian Fur Company. Exploring expeditions had, of course, entered. It is evident, therefore, without further statement, that neither the vessels of the United States nor of Great Britain nor of any other Power than Russia had traded on the shores of the Behring Sea prior to the negotiations of these Treaties. No more convincing proof could be adduced that these Treaties had referred solely to the waters and coasts of the continent south of the Alaska

Peninsula—simply the “Pacific Ocean” and the “north-west coast” named in the Treaties.

Article III of the British Treaty, as printed in the British State Papers, is as follows :—

[See Vol. XII, page 39.]

It will be observed that this Article explicitly delimits the boundary between British America and the Russian possessions. This delimitation is in minute detail from $54^{\circ} 40'$ to the northern terminus of the coast known as the north-west coast. When the boundary-line reaches that point (opposite 60° north latitude) where it intersects the 141st degree of west longitude, all particularity of description ceases. From that point it is projected directly northward for 600 or 700 miles without any reference to coast-line, without any reference to points of discovery or occupation (for there were none in that interior country), but simply on a longitudinal line as far north as the Frozen or Arctic Ocean.

What more striking interpretation of the Treaty could there be than this boundary-line itself? It could not be clearer if the British negotiators had been recorded as saying to the Russian negotiators :—

“Here is the north-west coast to which we have disputed your claims—from the 51st to the 60th degree of north latitude. We will not, in any event, admit your right south of $54^{\circ} 40'$. From $54^{\circ} 40'$ to the point of junction with the 141st degree of west longitude we will agree to your possession of the coast. That will cover the dispute between us. As to the body of the continent above the point of intersection, at the 141st degree of longitude, we know nothing, nor do you. It is a vast unexplored wilderness. We have no Settlements there, and you have none. We have, therefore, no conflicting interests with your Government. The simplest division of that territory is to accept the prolongation of the 141st degree of longitude to the Arctic Ocean as the boundary : east of it the territory shall be British ; west of it the territory shall be Russian.”

And it was so finally settled.

Article IV of the Anglo-Russian Treaty is as follows :—

[See Vol. XII, page 40.]

The evident design of this Article was to make certain and definite the boundary-line along the line of coast, should there be any doubt as to that line as laid down in Article III. It provided that the boundary-line, following the windings of the coast, should never be more than ten marine leagues therefrom.

Article V of the Treaty between Great Britain and Russia runs thus :—

[See Vol. XII, page 41.]

The plain meaning of this Article is that neither party shall make Settlements within the limits assigned by Articles III and IV to the possession of the other. Consequently, Articles III and IV are of supreme importance as making the actual delimitation between the two countries, and forbidding each to form any establishments within the limits of the other.

Article VI of Russia's Treaty with Great Britain is as follows

[See Vol. XII, page 41.]

The meaning of this Article is not obscure. The subject of navigation, whether arriving from the interior of the continent or from the ocean, shall enjoy the right of navigating freely all rivers and streams which, in their course to the Pacific Ocean, cross the line of demarcation upon the line of coast described in Article III. As is plainly apparent, the coast referred to in Article III is the coast south of the point of junction already described. Nothing is clearer than the reason for this provision. A strip of land, at no point wider than ten marine leagues, running along the Pacific Ocean from 54° 40' to 60° (320 miles of geographical line, by the windings of the coast three times the distance), was assigned to Russia by Article III. Directly to the east of this strip of land—or, as might be said, behind it—the British possessions. To shut out the inhabitants of the British possessions from the sea by this *strip of land*, would have been not only unreasonable, but intolerable to Great Britain. Russia promptly conceded the privilege, and gave to Great Britain the right of navigating all rivers crossing that strip of land from 54° to the point of intersection with the 141st degree of longitude. Without this concession the Treaty could not have been made. We do not understand that Lord Salisbury dissents from this obvious construction of Article VI, for in his despatch he says that Article has a "restricted bearing," and refers only to "the *line of coast described* in Article III" (the italics are his own), and the only line of coast described in Article III is the coast from 54° to 60°. There is no description of the coast above that point stretching along the Behring Sea from latitude 60° to the Strait of Behring.

Article VII of the Anglo-Russian Treaty, whose provisions led to the principal contention between the United States and Great Britain, is as follows :—

[See Vol. XII, page 41.]

In the judgment of the President the meaning of this Article is altogether plain and clear. It provides that for the space of ten years the vessels of the two Powers should *mutually* be at liberty to frequent all the inland seas, &c., "*on the coast mentioned in Article III, for the purpose of fishing and trading with the natives.*" Following out the line of my argument and the language of the Article, I have already maintained that this privilege could only refer to the coast from $54^{\circ} 40'$ to the point of intersection with the 141st degree of west longitude; that, therefore, British subjects were not granted the right of frequenting the Behring Sea.

Denying this construction, Lord Salisbury says :—

"I must further dissent from Mr. Blaine's interpretation of Article VII of the latter Treaty (British). That Article gives to the vessels of the two Powers 'liberty to frequent all the inland seas, gulfs, havens, and creeks on the coasts mentioned in Article III, for the purpose of fishing and of trading with the natives.' The expression 'coast mentioned in Article III' can only refer to the first words of the Article, 'the line of demarcation between the possessions of the High Contracting Parties upon the coast of the continent and the islands of America to the north-west shall be drawn,' &c., that is to say, it included all the possessions of the two Powers on the north-west coast of America. For there would have been no sense whatever in stipulating that Russian vessels should have freedom of access to the small portion of coast which, by a later part of the Article, is to belong to Russia. And, as bearing on this point, it will be noticed that Article VI, which has a more restricted bearing, speaks only of 'the subjects of His Britannic Majesty' and of 'the *line of coast described* in Article III.'"

It is curious to note the embarrassing intricacies of his Lordship's language and the erroneous assumption upon which his argument is based. He admits that the privileges granted in Article VI to the subjects of Great Britain are limited to "the coast described in Article III of the Treaty." But when he reaches Article VII, where the privileges granted are limited to "the coast mentioned in Article III of the Treaty," his Lordship maintains that the two references do not mean the same coast at all. The *coast described* in Article III and the *coast mentioned* in Article III are, therefore, in his Lordship's judgment, entirely different. The "*coast described* in Article III" is limited, he admits, by the intersection of the boundary-line with the 141st degree of longitude, but the "*coast mentioned* in Article III" stretches to the Straits of Behring.

Article III is, indeed, a very plain one, and its meaning cannot be obscured. Observe that the "line of demarcation" is between the possessions of both parties *on the coast* of the continent. Great

Britain had no possessions on the coast-line above the point of junction with the 141st degree, nor had she any Settlements at 60° north latitude. South of 60° north latitude was the only point where Great Britain had possessions on the coast-line. North of that point her territory had no connection whatever with the coast either of the Pacific Ocean or the Behring Sea. It is evident that the only *coast* referred to in Article III was this *of land south of 60° or 59° 30'.*

The preamble closes by saying that the line of demarcation between the possessions on the coast "shall be drawn in the manner following," viz.: From Prince of Wales Island, in 54° 40', across the Portland Channel and the summit of the mountains parallel to the coast *as far as their intersection with the 141st degree of longitude.* After having *described* this line of demarcation between the possessions of both Parties on the coast, the remaining sentence of Article shows that, "finally, from the said point of intersection of the said meridian-line . . . shall form *the limit* between the Russian and British possessions *on the Continent of America.*" South of that point of intersection the Article describes a *line of demarcation* between possessions *on the coast*; north of that point of intersection the Article designates a meridian-line as *the limit* between possessions *on the continent.* The argument of Lord Salisbury appears to this Government not only to contradict the obvious meaning of Articles VII and III, but to destroy their logical connection with the other Articles. In fact, Lord Salisbury's attempt to make two coasts out of the *one* coast referred to in Article III is not only out of harmony with the plain provisions of the Anglo-Russian Treaty, but is inconsistent with the preceding part of his argument.

These five Articles in the British Treaty (III, IV, V, VI, VII) are expressed with an exactness of meaning which no Government can change or pervert. In a later part of my note I shall be able, I think, to explain why the Russian Government elaborated the Treaty with Great Britain with greater precision and greater length than was employed in framing the Treaty with the United States. It will be remembered that between the Treaty with the United States being negotiated in April 1824, and the Treaty with Great Britain in February 1825. During that interval something occurred which made Russia more careful and more exact in her negotiations with Great Britain than she had been with the United States. What was it?

It is only necessary to quote Articles III and IV of the American Treaty to prove that less attention was given to

consideration than was given to the formation of the British Treaty with Russia. The two Articles in the American Treaty are as follows:—

[See Vol. XII, page 598.]

It will be noted that in the British Treaty four Articles, with critical expression of terms, take the place of Articles III and IV of the American Treaty, which were evidently drafted with an absence of the caution on the part of Russia which marked the work of the Russian Plenipotentiaries in the British negotiation.

From some cause, not fully explained, great uneasiness was felt in certain Russian circles, and especially among the members of the Russian-American Company, when the Treaty between Russia and the United States was made public. The facts leading to the uneasiness were not accurately known, and from that cause they were exaggerated. The Russians who were to be affected by the Treaty were in doubt as to the possible extent implied by the phrase "north-west coast of America," as referred to in Articles III and IV. The phrase, as I have before said, was used in two senses, and they feared it might have such a construction as would carry the American privilege to the Straits of Behring. They feared, moreover, that the uncertainty of the coast referred to in Article III might, by construction adverse to Russia, include the Behring Sea among the seas and gulfs mentioned in Article IV. If that construction should prevail, not only the American coast, but the coast of Siberia and the Aleutian coasts, might also be thrown open to the ingress of American fishermen. So great and genuine was their fright that they were able to induce the Russian Government to demand a fresh discussion of the Treaty before they would consent to exchange ratifications.

It is easy, therefore, to discern the facts which caused the difference in precision between the American and British Treaties with Russia, and which at the same time give conclusive force to the argument steadily maintained by the Government of the United States. These facts have thus far only been hinted at, and I have the right to presume that they have not yet fallen under the observation of Lord Salisbury. The President hopes that after the facts are presented the American contention will no longer be denied or resisted by Her Majesty's Government.

Nearly eight months after the Russo-American Treaty was negotiated, and before the exchange of ratifications had yet taken place, there was a remarkable interview between Secretary Adams and the Russian Minister. I quote from Mr. Adams' diary, the 6th December, 1824:—

"6th, Monday.—Baron Tuzl, the Russian Minister, wrote me a

note requesting an immediate interview, in consequence of instructions received yesterday from his Court. He came, and, intimating that he was under some embarrassment in executing instructions, said that the Russian-American Company, upon learning the purport of the North-West Coast Convention, concluded last June by Mr. Middleton, were extremely dissatisfied (*jeté de hauts cris*), and, by means of their influence, had prevailed upon his Government to send him these instructions upon points. One was that he should deliver, upon the exchange of ratifications of the Convention, an explanatory note purporting the Russian Government did not understand that the Convention would give liberty to the citizens of the United States to trade on the coast of Siberia and the Aleutian Islands. The other was to propose a modification of the Convention, by which our vessels should be prohibited from trading on the north-west coast north of latitude 57° . With regard to the former of these points he will send me a Minute in writing."

With this preliminary statement Baron Tuyl, in accordance with instructions from his Government, submitted to Mr. Adams the following note:—

"Explanatory Note from Russia.

"Explanatory note to be presented to the Government of the United States at the time of the exchange of ratifications, with a view to removing with more certainty all occasion for future discussions; by means of which note it will be seen that *the Aleutian Islands, the coasts of Siberia, and the Russian possessions in general on the north-west coast of America to $59^{\circ} 30'$ of north latitude* are positively excepted from the liberty of hunting, fishing, and commerce stipulated in favour of citizens of the United States for twenty years.

"This seems to be only a natural consequence of the stipulations agreed upon, for *the coasts of Siberia* are washed by the Sea of Okhotsk, the Sea of Kamschatka, and the Icy Sea, *and not by the South Sea* mentioned in Article I of the Convention of the 7th April, 1824. *The Aleutian Islands* are also washed by the Sea of Kamschatka, or Northern Ocean.

"*It is not the intention of Russia to impede the free navigation of the Pacific Ocean.* She would be satisfied with causing to be recognized, as well understood and placed beyond all manner of doubt, the principle that beyond $59^{\circ} 30'$ no foreign vessel may approach her coasts and her islands, nor fish or hunt within a distance of two marine leagues. This will not prevent the reception of foreign vessels which have been damaged or beaten by storm."

The course pursued by Mr. Adams, after the Russian note had been submitted to him, is fully told in his diary, from which I again quote:—

"I told Baron Tuij that we should be disposed to do every thing to accommodate the views of his Government that was in our power, but that a modification of the Convention *could* be made no otherwise than by a new Convention, and that the construction of the Convention as concluded belonged to other Departments of the Government, for which the Executive had no authority to stipulate. . . . I added that the Convention would be submitted immediately to the Senate; that if anything affecting its construction, or, still more, modifying its meaning, were to be presented on the part of the Russian Government before or at the exchange of the ratifications, it must be laid before the Senate, and could have no other possible effect than of starting doubts, and, perhaps, hesitation, in that body, and of favouring the views of those, if such there were, who might wish to defeat the ratification itself of the Convention. . . . If, therefore, he would permit me to suggest to him what I thought would be his best course, it would be to wait for the exchange of the ratifications, and make it purely and simply; that afterwards, if the instructions of his Government were imperative, he might present the note, to which I now informed him what would be, in substance, my answer. It necessarily could not be otherwise. But, if his instructions left it discretionary with him, he would do still better to inform his Government of the state of things here, of the purport of our conference, and of what my answer must be if he should present the note. I believed his Court would then deem it best that he should not present the note at all. *Their apprehension had been excited by an interest not very friendly to the good understanding between the United States and Russia. Our words would not go to trouble the Russians on the coast of Siberia, or north of the 57th degree of latitude, and it was wisest not to put our fancies into their heads.* At least the Imperial Government might wait to see the operation of the Convention before taking any further steps, and *I was confident they would hear no complaint resulting from it.* If they should, then would be the time for disputing the construction or negotiating a modification of the Convention." . . .

The Russian Minister was deeply impressed by what Mr. Adams had said. He had not before clearly perceived the inevitable effect if he should insist on presenting the note in the form of a demand. He was not prepared for so serious a result as the destruction or the indefinite postponement of the Treaty between Russia and the United States, and Mr. Adams readily convinced him that at the exchange of ratifications no modification of the Treaty could be

made. The only two courses open were, first, to ratify ; or, secondly, to refuse, and annul the Treaty. Mr. Adams reports the words of the Minister in reply :—

“ The Baron said that these ideas had occurred to himself ; that he had made this application in pursuance of his instructions, but that he was aware of the distribution of powers in our Constitution, and of the incompetency of the Executive to adjust such questions. He would therefore wait for the exchange of the ratifications without presenting his note, and reserve for future consideration whether to present it shortly afterwards or to inform his Court of what he had done and ask their further instructions upon what he shall definitely do on the subject.”

As Baron Tuyl surrendered his opinions to the superior judgment of Mr. Adams, the ratifications of the Treaty were exchanged on the 11th day of January, and on the following day the Treaty was formally proclaimed. A fortnight later, on the 25th January, 1825, Baron Tuyl, following the instructions of his Government, filed his note in the Department of State. Of course, his act at that time did not affect the text of the Treaty ; but it placed in the hands of the Government of the United States an unofficial note which significantly told what Russia's construction of the Treaty would be if, unhappily, any difference as to its meaning should arise between the two Governments. But Mr. Adams' friendly intimation removed all danger of dispute, for it conveyed to Russia the assurance that the Treaty, as negotiated, contained, in effect, the provisions which the Russian note was designed to supply. From that time until Alaska, with all its rights of land and water, was transferred to the United States—a period of forty-three years—no act or word on the part of either Government ever impeached the full validity of the Treaty as it was understood both by Mr. Adams and by Baron Tuyl at the time it was formally proclaimed.

While these important matters were transpiring in Washington, negotiations between Russia and England (ending in the Treaty of 1825) were in progress in St. Petersburg. The instructions given to Baron Tuyl concerning the Russian-American Treaty were fully reflected in the care with which the Anglo-Russian Treaty was constructed, a fact to which I have already adverted in full. There was, indeed, a possibility that the true meaning of the Treaty with the United States might be misunderstood, and it was therefore the evident purpose of the Russian Government to make the Treaty with England so plain and so clear as to leave no room for doubt as to its meaning, and to baffle all attempts at misconstruction. The Government of the United States finds the full advantage to it in the caution taken by Russia in 1825, and can therefore quote the Anglo-Russian Treaty with the utmost confidence that its meaning cannot be changed from

that clear unmistakable text which, throughout all the Articles, sustains the American contention.

The "explanatory note," filed with this Government by Baron Tuyl, is so plain in its text that, after the lapse of sixty-six years, the exact meaning can neither be misapprehended nor misrepresented. It draws the distinction between the Pacific Ocean and the waters now known as the Behring Sea so particularly and so perspicuously that no answer can be made to it. It will bear the closest analysis in every particular. "It is not the intention of Russia to impede the free navigation of the Pacific Ocean!" This frank and explicit statement shows with what entire good faith Russia had withdrawn, in both Treaties, the offensive Ukase of Alexander, so far as the Pacific Ocean was made subject to it. Another avowal is equally explicit, viz., that "the coast of Siberia, the north-west coast of America to $59^{\circ} 30'$ of north latitude [that is, down to $59^{\circ} 30'$, the explanatory note reckoning from north to south], and the Aleutian Islands are positively excepted from the liberty of hunting, fishing, and commerce stipulated in favour of citizens of the United States for ten years." The reason given for this exclusion is most significant in connection with the pending discussion, namely, that the coasts of Siberia are washed by the Sea of Okhotsk, the Sea of Kamschatka, and the Icy Sea, and not by the "South Sea" [Pacific Ocean] mentioned in Article I of the Convention of the 7th April, 1824. The Aleutian Islands are also washed by the Sea of Kamschatka, or Northern Ocean (Northern Ocean being used in contradistinction to South Sea or Pacific Ocean). The liberty of hunting, fishing, and commerce mentioned in the Treaties was therefore confined to the coast of the Pacific Ocean south of $59^{\circ} 30'$ both to the United States and Great Britain. It must certainly be apparent now to Lord Salisbury that Russia never intended to include the Behring Sea in the phrase "Pacific Ocean." The American argument on that question has been signally vindicated by the official declaration of the Russian Government.

In addition to the foregoing, Russia claimed jurisdiction of two marine leagues from the shore in the Pacific Ocean, a point not finally insisted upon in either Treaty. The Protocols, however, show that Great Britain was willing to agree to the two marine leagues, but the United States was not; and, after the concession was made to the United States, Mr. G. Canning insisted upon its being made to Great Britain also.

In the interview between the American Secretary of State and the Russian Minister, in December 1824, it is worth noting that Mr. Adams believed that the application made by Baron Tuyl had its origin "in the apprehension of the Court of Russia which had

been caused by an interest not very friendly to the good understanding between the United States and Russia." I presume no one need be told that the reference here made by Mr. Adams was to the Government of Great Britain; that the obvious effort of the British Government at that time was designed to make it certain that the United States should not have the power in the waters and on the shores of Behring Sea which, *Lord Salisbury now argues, has undoubtedly been given both to the United States and Great Britain by the Treaties.*

It is to be remembered that Mr. Adams' entire argument was to quiet Baron Tuyl with the assurance that the Treaty already negotiated was, in effect, just what the Russian Government desired it to be by the incorporation of the "explanatory note" of which Baron Tuyl was the bearer. Mr. Adams was not a man to seize an advantage merely by cunning construction of language which might have two meanings. He was determined to remove the hesitation and distrust entertained for the moment by Russia. He went so far, indeed, as to give an assurance that American ships would not go above 57° north latitude (Sitka), and he did not want the text of the Treaty so changed as to mention the fact contained in the explanatory note, because, speaking of the hunters and the fishermen, it "was wisest not to put such faucies into the heads."

It is still further noticeable that Mr. Adams, in his sententious expression, spoke of the Treaty in his interview with Baron Tuyl as "the North-West Coast Convention." This closely descriptive phrase was enough to satisfy Baron Tuyl that Mr. Adams had not taken a false view of the true limits of the Treaty, and had not attempted to extend the privileges granted to the United States a single inch beyond their plain and honourable intent.

The three most confident assertions made by Lord Salisbury, and regarded by him as unanswerable, are, in his own language, the following:—

1. That England refused to admit any part of the Russian claim asserted by the Ukase of 1821 of a maritime jurisdiction and exclusive right of fishing throughout the whole extent of that claim from Behring Straits to the 51st parallel.
2. That the Convention of 1825 was regarded on both sides as a renunciation on the part of Russia of that claim in its entirety.
3. That, though Behring Straits were known and specifically provided for, Behring Sea was not known by that name, but was regarded as a part of the Pacific Ocean.

The explanatory note of the Russian Government disproves and denies in detail these three assertions of Lord Salisbury. I think they are completely disproved by the facts recited in this despatch.

but the explanatory note is a specific contradiction of each one of them.

The inclosures which accompanied Lord Salisbury's despatch, and which are quoted to strengthen his arguments, seem to me to sustain, in a remarkable manner, the position of the United States. The first inclosure is a despatch from Lord Londonderry to Count Lieven, Russian Minister at London, dated Foreign Office, the 18th January, 1822. The first paragraph of this despatch is as follows:—

"The Undersigned has the honour to acknowledge the note addressed to him by Baron de Nicolai of the 12th September last, covering a copy of a Ukase issued by his Imperial Master, Emperor of all the Russias, bearing date the 4th September, 1821, for various purposes therein set forth, *especially connected with the territorial rights of his Crown on the north-west coast of America bordering on the Pacific Ocean, and the commerce and navigation of His Imperial Majesty's subjects in the seas adjacent thereto.*"

It is altogether apparent that this despatch is limited to the withdrawal of the provisions of the Ukase issued by the Emperor Alexander, especially connected with *the territorial rights on the north-west coast bordering on the Pacific Ocean*. Evidently Lord Londonderry makes no reference, direct or indirect, to the Behring Sea. The whole scope of his contention, as defined by himself, lies outside of the field of the present dispute between the British and American Governments. This Government heartily agrees with Lord Londonderry's form of stating the question.

The Duke of Wellington was England's Representative in the Congress of Verona, for which place he set out in the autumn of 1822. His instructions from Mr. G. Canning, British Secretary of Foreign Affairs, followed the precise line indicated by Lord Londonderry in the despatch above quoted. This is more plainly shown by a "Memorandum on the Russian Ukase" delivered by the Duke on the 17th October to Count Nesselrode, Russia's Representative at Verona. The Duke was arguing against the Ukase of Alexander, as it affected British interests, and his language plainly shows that he confined himself to the "*north-west coast of America bordering on the Pacific Ocean.*" To establish this it is only necessary to quote the following paragraph from the Duke's Memorandum, viz.:—

"Now, we can prove that the English North-West Company and the Hudson's Bay Company have for many years established forts and other trading places in a country called New Caledonia, situated to the west of a range of mountains called the Rocky Mountains, and extending along *the shores of the Pacific Ocean* from latitude 49° to latitude 60° north."

The Duke of Wellington always went directly to the point issue, and he was evidently not concerning himself about any subject other than the protection of the English territory south of the Alaskan Peninsula, and on the north-west coast *bordering on the Pacific Ocean*. England owned no territory on the coast north of the Alaskan Peninsula, and hence there was no reason for connecting the coast above the peninsula in any way with the question before the Congress. Evidently the Duke did not, in the remotest manner, connect the subject he was discussing with the waters or the shores of the Behring Sea.

The most significant and important of all the inclosures is No. 1, in which Mr. Stratford Canning, the British negotiator at St. Petersburg, communicated, under date of the 1st March, 1825, to Mr. Canning, Minister of Foreign Affairs, the text of the Treaty between England and Russia. Some of Mr. Stratford Canning's statements are very important. In the second paragraph of his letter he makes the following statement:—

"The line of demarcation along the *strip of land* on the north-west coast of America assigned to Russia is laid down in the Convention agreeably to your directions." . . .

After all, then, it appears that the "*strip of land*," to which we have already referred more than once, was reported by the English Plenipotentiary at St. Petersburg. This clearly and undeniably exhibits the field of controversy between Russia and England, even if we had no other proof of the fact. It was solely on the north-west coast bordering on the Pacific Ocean, and not in the Behring Sea at all. It is the same *strip of land* which the United States acquired in the purchase of Alaska, and runs from 54° 40' to 56° north latitude—the same *strip of land* which gave to British America a free access to the ocean.

Mr. Stratford Canning also communicated, in his letter of the 1st March, the following:—

"With respect to Behring Straits, I am happy to have it in my power to assure you, on the joint authority of the Russian Plenipotentiaries, that *the Emperor of Russia has no intention whatever of maintaining any exclusive claim to the navigation of those straits or of the seas to the north of them.*"

This assurance from the Emperor of Russia is of that kind where the power to give or to withhold is absolute. If the Treaty of 1825 between Great Britain and Russia had conceded such rights in the Behring waters as Lord Salisbury now claims, why was Mr. Stratford Canning so "happy" to "have it in his power to assure" the British Foreign Office, on "the authority of two Russian Plenipotentiaries," that "the Emperor had no intention of maintaining an exclusive claim to the navigation of the Behring Straits?"

er of the "seas to the north of them?" The *seas to the south of the straits* were most significantly not included in the Imperial assurance. The English statesmen of that day had, as I have before remarked, attempted the abolition of the Ukase of Alexander only so far as it affected the coast of the Pacific Ocean from the 51st to the 60th degree of north latitude. It was left in full force on the shores of the Behring Sea. There is no proof whatever that the Russian Emperor annulled it there. That sea, from east to west, is 1,300 miles in extent; from north to south it is 1,000 miles in extent. The whole of this great body of water, under the Ukase, was left open to the world, except a strip of 100 miles from the shore. But with these 100 miles enforced on all the coasts of the Behring Sea it would be obviously impossible to approach the Straits of Behring, which were less than 50 miles in extreme width. If enforced strictly, the Ukase would cut off all vessels from passing through the straits to the Arctic Ocean. If, as Lord Salisbury claims, the Ukase had been withdrawn from the entire Behring coast, as it was between the 51st and 60th degrees on the Pacific coast, what need would there have been for Mr. Stratford Canning, the English Plenipotentiary, to seek a favour from Russia in regard to passing through the straits into the Arctic Ocean, where scientific expeditions and whaling vessels desired to go?

I need not review all the inclosures, but I am sure that, properly analyzed, they will all show that the subject-matter touched only the settlement of the dispute on the north-west coast, from the 51st to the 60th degree of north latitude. In other words, they related to the contest which was finally adjusted by the establishment of the line 54° 40', which marked the boundary between Russian and English territory at the time of the Anglo-Russian Treaty, as to-day it marks the line of division between Alaska and British Columbia. But that question in no way touched the Behring Sea; it was confined wholly to the Pacific Ocean and the north-west coast.

Lord Salisbury has deemed it proper, in his despatch, to call the attention of the Government of the United States to some elementary principles of international law touching the freedom of the sea. For our better instruction he gives sundry extracts from Wheaton and Kent—our most eminent publicists—and, for further illustration, quotes from the despatches of Secretaries Seward and Fish, all maintaining the well-known principle that a nation's jurisdiction over the sea is limited to three marine miles from its shore line. Commenting on these quotations, his Lordship says:—

"A claim of jurisdiction over the open sea which is not in accordance with the recognized principles of international law or usage may, of course, be asserted by force, but cannot be said to have any legal validity as against the vessels of other countries,

except in so far as it is positively admitted in Conventional Agreements with those countries."

The United States, having the most extended sea-coast of all the nations of the world, may be presumed to have paid serious attention to the laws and usages which define and limit maritime jurisdiction. The course of this Government has been uniformly in favour of upholding the recognized law of nations on that subject. When Lord Salisbury's admonitions are received in good part by the Government, we feel justified in asking his Lordship if the Government of Great Britain has uniformly illustrated these precepts by example, or whether she has not established at least one notable precedent which would justify us in making greater demands upon Her Majesty's Government touching the Behring Sea than either our necessities or our desires have ever suggested? The precedent which I refer is contained in the following narrative:—

Napoleon Bonaparte fell into the power of Great Britain on the 15th July, 1815. The disposition of the illustrious prisoner was primarily determined by a Treaty negotiated at Paris on the 2nd of the following August between Great Britain, Russia, Prussia, and Austria. By that Treaty "the custody of Napoleon is specially intrusted to the British Government." The choice of the place and of the measures which could best secure the prisoner were especially reserved to His Britannic Majesty. In pursuance of this power Napoleon was promptly sent by Great Britain to the Island of St. Helena as a prisoner for life. Six months after he reached St. Helena the British Parliament enacted a special and extraordinary Law for the purpose of making his detention more secure. It was altogether a memorable Statute, and gave to the British Governor of the Island of St. Helena remarkable powers over the property and rights of other nations. The Statute contains eight long sections, and in the 4th section assumes the power to exclude ships of any nationality, not only from landing on the island, but forbids them "to hover within eight leagues of the coast of the island." The penalty for hovering within eight leagues of the coast is the forfeiture of the ship to His Majesty the King of Great Britain, a trial to be had in London, and the offence to be the same as if committed in the County of Middlesex. This power was not assumed by a military commander, pleading the silence of law amid the clash of arms; nor was it conferred by the power of civil government in a crisis of public danger. It was a Parliamentary enactment in a season of profound peace that was not broken in Europe by war among the Great Powers for eight-and-thirty years thereafter. (See Inclosure 3.)

The British Government thus assumed exclusive and absolute control over a considerable section of the South Atlantic Ocean.

lying directly in the path of the world's commerce, near the capes which mark the southernmost points of both hemispheres, over the waters which for centuries had connected the shores of all continents, and afforded the commercial highway from and to all the ports of the world. The body of water thus controlled, in the form of a circle nearly 50 miles in diameter, was scarcely less than 2,000 square miles in extent; and whatever ship dared to tarry or hover within this area might, regardless of its nationality, be forcibly seized and summarily forfeited to the British King.

The United States had grave and special reasons for resenting this peremptory assertion of power by Great Britain. On the 3rd day of July, 1815, a fortnight after the Battle of Waterloo, and twelve days before Napoleon became a prisoner of war, an important Commercial Treaty was concluded at London between the United States and Great Britain.* It was the sequel to the Treaty of Ghent, which was concluded some six months before, and was remarkable, not only from the character of its provisions, but from the eminence of the American negotiators—John Quincy Adams, Henry Clay, and Albert Gallatin. Among other provisions of this Treaty relaxing the stringent colonial policy of England was one which agreed that American ships should be admitted and hospitably received at the Island of St. Helena. Before the ratifications of the Treaty were exchanged in the following November, it was determined that Napoleon should be sent to St. Helena. England thereupon declined to ratify the Treaty unless the United States should surrender the provision respecting that island. After that came the stringent enactment of Parliament forbidding vessels to hover within twenty-four miles of the island. The United States was already a great commercial Power. She had 1,400,000 tons of shipping; more than 500 ships bearing her flag were engaged in trade around the capes. Lord Salisbury has had much to say about the liberty of the seas, but these 500 American ships were denied the liberty of the seas within a space of 50 miles wide in the South Atlantic Ocean by the express authority of Great Britain.

The Act of Parliament which asserted this power over the sea was to be in force as long as Napoleon should live. Napoleon was born the same year with Wellington, and was therefore but 46 years of age when he was sent to St. Helena. His expectation of life was then as good as that of the Duke, who lived until 1852. The order made in April 1816 to obstruct free navigation in a section of the South Atlantic might, therefore, have been in force for the period of thirty-six years, if not longer. It actually proved to be for five years only. Napoleon died in 1821.

* Vol. III, page 78.

It is hardly conceivable that the same nation which exercised the authority in the broad Atlantic, over which, at that very time 800,000,000 of people made their commercial exchanges, should deny the right of the United States to assume control over a limited area, for a fraction of each year, in a sea which lies far beyond the line of trade, whose silent waters were never cloven by a commercial prow, whose uninhabited shores have no port of entry, and could never be approached on a lawful errand under any other flag than that of the United States. Is this Government to understand that Lord Salisbury justifies the course of England? Is this Government to understand that Lord Salisbury maintains the right of England at her will and pleasure, to obstruct the highway of commerce in the mid-ocean, and that she will at the same time interpose objections to the United States exercising her jurisdiction beyond the three-mile limit, in a remote and unused sea, for the sole purpose of preserving the most valuable fur-seal fishery in the world from remediable destruction?

If Great Britain shall consider that the precedent set at St. Helena of obstruction to the navigable waters of the ocean is too remote for present quotation, I invite her attention to one still in existence. Even to-day, while Her Majesty's Government is aiding one of her Colonies to destroy the American seal fisheries, another Colony, with her consent, has established a pearl fishery in an area of the Indian Ocean 600 miles wide. And so complete is the assumption of power that, according to Sir George Baden-Powell, a licence-fee is collected from the vessels engaged in the pearl fisheries in the open ocean. The asserted power goes to the extent of making foreign vessels that have procured their pearls far outside the three-mile limit pay a heavy tax when the vessels enter an Australian port to land cargoes and seek refit. Thus the foreign vessel is hedged in on both sides, and is bound to pay the tax under British law, because, as Sir George Baden-Powell intimates, the voyage to another port would probably be more expensive than the tax. I quote further from Sir George to show the extent to which British assumption of power over the Ocean has gone:—

"The right to charge these dues and to exercise this control *outside the three-mile limit* is based on an Act of the Federal Council of Australasia,* which (Federal Council Act, 1885, sec. 15) enacts that the Council shall have legislative authority, *inter alia*, in respect to fisheries in Australian waters outside territorial limits. In 1886 this Council passed an Act to 'regulate the pearl-shell and *bêche-de-mer* fisheries in Australian waters adjacent to the Colony of Western Australia.'† In 1888 a similar Act had been passed

* Vol. LXXVI, page 493.

† See "Hertslet's Treaties." Vol. 18, page 576.

dealing with the fisheries in the seas adjacent to Queensland (on the east coast).*

I am directed by the President to say that, on behalf of the United States, he is willing to adopt the text used in the Act of Parliament to exclude ships from hovering nearer to the Island of St. Helena than eight marine leagues, or he will take the example cited by Sir George Baden-Powell, where, by permission of Her Majesty's Government, control over a part of the ocean 600 miles wide is to-day authorized by Australian law. The President will ask the Government of Great Britain to agree to the distance of twenty marine leagues—within which no ship shall hover around the Islands of St. Paul and St. George—from the 15th May to the 15th October of each year. This will prove an effective mode of preserving the seal fisheries for the use of the civilized world—a mode which, in view of Great Britain's assumption of power over the open ocean, she cannot with consistency decline. Great Britain prescribed eight leagues at St. Helena; but the obvious necessities in the Behring Sea will, on the basis of this precedent, justify twenty leagues for the protection of the American seal fisheries.

The United States desires only such control over a limited extent of the waters in the Behring Sea, for a part of each year, as will be sufficient to insure the protection of the fur-seal fisheries, already injured, possibly, to an irreparable extent by the intrusion of Canadian vessels, sailing with the encouragement of Great Britain and protected by her flag. The gravest wrong is committed when (as in many instances is the case) American citizens, refusing obedience to the laws of their own country, have gone into partnership with the British flag and engaged in the destruction of the seal fisheries which belong to the United States. So general, so notorious, and so shamelessly avowed has this practice become that last season, according to the Report of the American Consul at Victoria, when the intruders assembled at Unalaska on the 4th July, previous to entering Behring Sea, the day was celebrated in a patriotic and spirited manner by the American citizens, who, at the time, were protected by the British flag in their violation of the laws of their own country.

With such agencies as these, devised by the Dominion of Canada and protected by the flag of Great Britain, American rights and interests have, within the past four years, been damaged to the extent of millions of dollars, with no corresponding gain to those who caused the loss. From 1870 to 1890 the seal fisheries—carefully guarded and preserved—yielded 100,000 skins each year. The Canadian intrusions began in 1886, and so great has been the

* See "Hertlet's Treaties." Vol. 18, page 573.

damage resulting from their destruction of seal life in the open surrounding the Pribyloff Islands, that in 1890 the Government of the United States limited the Alaska Company to 60,000 seals. The Company was able to secure only 21,000 seals. Under the severe influences that have been active now for five seasons the seal fisheries will soon be utterly destroyed. Great Britain has been informed, advised, warned over and over again, of the evil effects that would flow from her course of action; but, against testimony that amounts to demonstration, she has preferred to abide by her personal representations from Ottawa, by Reports of Commissioners who examined nothing, and heard nothing, except the testimony of those engaged in the business against which the United States earnestly protested. She may possibly be convinced of the damage if she will send an intelligent Commissioner to the Pribyloff Islands.

In general answer to all these facts, Great Britain announces that she is willing to settle the dispute by arbitration. Her position is contained in the following paragraph, which I quote in full:—

“I have to request that you will communicate a copy of this despatch, and of its inclosures, to Mr. Blaine. You will state that Her Majesty's Government have no desire whatever to refuse to the United States any jurisdiction in Behring Sea which was conceded by Great Britain to Russia, and which properly accrues to the present possessors of Alaska in virtue of Treaties or the law of nations; and that, if the United States' Government, after examination of the evidence and arguments which I have produced, differs from them as to the legality of the recent captures in that sea, they are ready to agree that the question, with the issues that depend upon it, should be referred to impartial arbitration. You will state that case be authorized to consider, in concert with Mr. Blaine, the method of procedure to be followed.”

In his Annual Message, sent to Congress on the 1st of December, present month,* the President, speaking in relation to the Behring Sea question, said:—

“The offer to submit the question to arbitration, as proposed by Her Majesty's Government, has not been accepted, for the reason that the form of submission proposed is not thought to be calculated to assure a conclusion satisfactory to either Party.”

In the judgment of the President, nothing of importance would be settled by proving that Great Britain conceded no jurisdiction in Behring Sea to Russia over the seal fisheries of the Behring Sea. It might as well be proved that Russia conceded no jurisdiction to England over

River Thames. By doing nothing in each case everything is conceded. In neither case is anything asked of the other; a "concession," as used here, means simply *acquiescence* in the rightfulness of the title, and that is the only form of concession which Russia asked of Great Britain, or which Great Britain gave to Russia.

The second offer of Lord Salisbury to arbitrate amounts simply to a submission of the question whether any country has a right to extend its jurisdiction more than one marine league from the shore? No one disputes that, as a rule; but the question is whether there may not be exceptions whose enforcement does not interfere with those highways of commerce which the necessities and usage of the world have marked out. Great Britain, when she desired an exception, did not stop to consider or regard the inconvenience to which the commercial world might be subjected. Her exception placed an obstacle in the highway between continents. The United States, in protecting the seal fisheries, will not interfere with a single sail of commerce on any sea of the globe.

It will mean something tangible, in the President's opinion, if Great Britain will consent to arbitrate the real questions which have been under discussion between the two Governments for the last four years. I shall endeavour to state what, in the judgment of the President, those issues are:—

1. What exclusive jurisdiction in the sea now known as the Behring Sea, and what exclusive rights in the seal fisheries therein, did Russia assert and exercise prior and up to time of the cession of Alaska to the United States?

2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?

3. Was the body of water now known as the Behring Sea included in the phrase "Pacific Ocean," as used in the Treaty of 1825 between Great Britain and Russia; and what rights (if any) in the Behring Sea were given or conceded to Great Britain by the said Treaty?

4. Did not all rights of Russia as to jurisdiction, and as to the seal fisheries in Behring Sea east of the water boundary, in the Treaty between the United States and Russia of the 30th March, 1867,* pass unimpaired to the United States under that Treaty?

5. What are now the rights of the United States as to the seal fisheries in the waters of the Behring Sea outside of the ordinary territorial limits, whether such rights grow out of the cession by Russia of any special rights or jurisdiction held by her in such fisheries or in the waters of Behring Sea, or out of the ownership of the breeding islands and the habits of the seals in resorting

thither and rearing their young thereon and going out from islands for food, or out of any other fact or incident connected with the relation of those seal fisheries to the territorial possessions of United States ?

6. If the determination of the foregoing questions shall leave the subject in such a position that the concurrence of Great Britain is necessary in prescribing regulations for the killing of the fur-seal in any part of the waters of Behring Sea, then it shall be further determined : (1) How far, if at all, outside the ordinary territorial limits it is necessary that the United States should exercise exclusive jurisdiction in order to protect the seal for the time lying upon the islands of the United States and feeding therefrom ; (2) whether a closed season (during which the killing of seal in the waters of Behring Sea outside the ordinary territorial limits shall be prohibited) is necessary to save the seal-fishing industry so valuable and important to mankind, from deterioration or destruction ? and, if so (3), what months or part of months should be included in such season, and over what waters it should extend ?

The repeated assertions that the Government of the United States demands that the Behring Sea be pronounced *mare clausum* are without foundation. The Government has never claimed it, nor ever desired it. It expressly disavows it. At the same time the United States does not lack abundant authority, according to the ablest exponents of the international law, for holding a section of the Behring Sea for the protection of the fur-seal. Controlling a comparatively restricted area of water for that specific purpose is by no means the equivalent of declaring the whole or any part thereof, *mare clausum*. Nor is it by any means so serious an obstruction as Great Britain assumed to make in the South Atlantic, nor so groundless an interference with the common law of the sea as is maintained by British authority to-day in the Indian Ocean. The President does not, however, desire the postponement which an examination of legal authorities from Ulpian to Phillimore and Kent would involve. He finds his views well expressed by Mr. Phelps, our late Minister to England, when, after failing to secure a just arrangement with Great Britain touching the seal fisheries, he wrote the following in his closing communication to his own Government, 12th September, 1888 :-

" Much learning has been expended upon the discussion of this abstract question of the right of *mare clausum*. I do not conceive it to be applicable to the present case.

" Here is a valuable fishery, and a large and, if properly managed, permanent industry, the property of the nations on whose shores it is carried on. It is proposed by the Colony of a foreign nation in defiance of the joint remonstrance of all the countries interested

destroy this business by the indiscriminate slaughter and extermination of the animals in question, in the open neighbouring sea, during the period of gestation, when the common dictates of humanity ought to protect them, were there no interest at all involved. And it is suggested that we are prevented from defending ourselves against such depredations because the sea at a certain distance from the coast is free.

"The same line of argument would take under its protection piracy and the Slave Trade when prosecuted in the open sea, or would justify one nation in destroying the commerce of another by placing dangerous obstructions and derelicts in the open sea near its coasts. There are many things that cannot be allowed to be done on the open sea with impunity, and against which every sea is *mare clausum*; and the right of self-defence as to person and property prevails there as fully as elsewhere. If the fish upon the Canadian coasts could be destroyed by scattering poison in the open sea adjacent with some small profit to those engaged in it, would Canada, upon the just principles of international law, be held defenceless in such a case? Yet that process would be no more destructive, inhuman, and wanton than this.

"If precedents are wanting for a defence so necessary and so proper, it is because precedents for such a course of conduct are likewise unknown. The best international law has arisen from precedents that have been established when the just occasion for them arose, undeterred by the discussion of abstract and inadequate rules."

I have, &c.,

Sir J. Pauscote.

JAMES G. BLAINE.

(Inclosure 1.)—*Translation of Convention between the United States and Russia relative to Navigation, Fishing, and Trading in the Pacific Ocean, and to Establishments on the North-West Coast.—Signed April 17, 1824; Ratifications exchanged at Washington, January 11, 1825.*

[See Vol. XII, page 595.]

Convention between Great Britain and Russia.—Signed at St. Petersburg, February 14, 1825; Presented to Parliament, May 16, 1825.

[See Vol. XII, page 38.]

(Inclosure 2.)—*List of Maps, with Designation of Waters now known as Behring Sea, with Date and Place of Publication.*

(Inclosure 3.)—Section 4 of "*An Act for regulating the Intercommunication with the Island of St. Helena during the time Napoleon Bonaparte shall be detained there, and for indemnifying Persons in the case therein mentioned (11th April, 1816).*"

[See Vol. III, page 364.]

The Marquess of Salisbury to Sir J. Pouncefote.

SIR,

Foreign Office, February 21, 1886.

THE despatch of Mr. Blaine, under date of the 17th December, has been carefully considered by Her Majesty's Government. The effect of the discussion which has been carried on between the two Governments has been materially to narrow the area of controversy. It is now quite clear that the advisers of the President do not claim Behring Sea as a *mare clausum*, and indeed that they repudiate that contention in express terms. Nor do they rely, as a justification for the seizure of British ships in the open sea, upon the contention that the interests of the seal fisheries give to the United States Government any right for that purpose which, according to international law, it would not otherwise possess. Whatever importance they attach to the preservation of the fur-seal species—and they justly look on it as an object deserving the most serious solicitude—they do not conceive that it confers upon any Maritime Power right over the open ocean which that Power could not assert on other grounds.

The claim of the United States to prevent the exercise of the seal fishery by other nations in Behring Sea rests now exclusively upon the interest which by purchase they possess in a Ukase issued by the Emperor Alexander I, in the year 1821, which prohibits foreign vessels from approaching within 100 Italian miles of the coasts and islands then belonging to Russia in Behring Sea. It is not, as I understand, contended that the Russian Government, at the time of the issue of this Ukase, possessed any inherent right to enforce such a prohibition, or acquired by the act of issuing it any claims over the open sea beyond the territorial limit of three miles which they would not otherwise have possessed. But it is said that this prohibition, worthless in itself, acquired validity and force

against the British Government because that Government can be shown to have accepted its provisions. The Ukase was a mere usurpation; but it is said that it was converted into a valid international law, as against the British Government, by the admission of that Government itself.

I am not concerned to dispute the contention that an invalid claim may, as against another Government, acquire a validity which in its inception it did not possess, if it is formally or effectively accepted by that Government. But the vital question for decision is whether any other Government, and especially whether the Government of Great Britain, has ever accepted the claim put forward in this Ukase. Our contention is, that not only can it not be shown that the Government of Great Britain, at any time since 1821, has admitted the soundness of the pretension put forward by that Ukase, but that it can be shown that it has categorically denied it on more than one occasion. On the 18th January, 1822, four months after the issue of the Ukase, Lord Londonderry, then British Foreign Secretary, wrote in the following terms to Count Lieven, the Russian Ambassador in London :—

“Upon the subject of this Ukase generally, and especially upon the two main principles of claim laid down therein, viz., an exclusive sovereignty alleged to belong to Russia over the territories therein described, as also the exclusive right of navigating and trading within the maritime limits therein set forth, His Britannic Majesty must be understood as hereby reserving all his rights, not being prepared to admit that the intercourse which is allowed on the face of this instrument to have hitherto subsisted on those coasts and in those seas can be deemed to be illicit; or that the ships of friendly Powers, even supposing an unqualified sovereignty was proved to appertain to the Imperial Crown, in these vast and very imperfectly occupied territories, could, by the acknowledged law of nations, be excluded from navigating within the distance of 100 Italian miles, as therein laid down, from the coast.”

On the 17th October in the same year the Duke of Wellington, Ambassador at Verona, addressed to Count Nesselrode a note containing the following words :—

“Objecting, as we do, to this claim of exclusive sovereignty on the part of Russia, I might save myself the trouble of discussing the particular mode of its exercise as set forth in this Ukase. But we object to the sovereignty proposed to be exercised under this Ukase not less than we do to the claim of it. *We cannot admit the right of any Power possessing the sovereignty of a country to exclude the vessels of others from the seas on its coasts to the distance of 100 Italian miles.*”

Again, on the 28th November, 1822, the Duke of Wellington

addressed a note to Count Lieven containing the following words :—

“The second ground on which we object to the Ukase is that His Imperial Majesty thereby excludes from a certain considerable extent of the open sea vessels of other nations. We contend that the assumption of this power is contrary to the law of nations; and we cannot found a negotiation upon a paper in which it is as broadly asserted. We contend that no Power whatever can exclude another from the use of the open sea; a Power can exclude its subjects from the navigation of a certain coast, sea, &c., by its own act or engagement, but it cannot by right be excluded by another. That we consider as the law of nations; and we cannot negotiate upon a paper in which a right is asserted inconsistent with this principle.”

It is evident, therefore, that so far as diplomatic representation went, the King's Government of that date took every step which it was in their power to take, in order to make it clear to the Russian Government that Great Britain did not accept the claim to exclude her subjects for 100 miles' distance from the coast, which had been put forward in the Ukase of 1821.

Mr Blaine does not deal with these protests, which appear to Her Majesty's Government to be in themselves amply sufficient to decide the question whether Great Britain did or did not acquiesce in the Russian claim put forward by the Ukase. He confines himself mainly, in the despatch under consideration, to the consideration of the Treaties which were subsequently made between Great Britain and Russia and America and Russia in the year 1824, and especially of that between Russia and Great Britain. The Treaty, of which the text is printed at the close of Mr. Blaine's despatch, does not contain a word to signify the acquiescence of Great Britain in the claim recently put forward by Russia to control the waters of the sea for 100 miles from her coast. There is no stipulation upon which this interpretation can be imposed by a process of construction whatsoever. But there is a provision, having in our judgment a totally opposite tendency, which indeed was intended to negative the extravagant claim that had recently been made on the part of Russia; and it is upon this provision that the main part of Mr. Blaine's argument, as I understand it, is founded. The stipulation to which I refer is contained in Article I, and runs as follows :—

“Article I. It is agreed that the respective subjects of the High Contracting Parties shall not be troubled or molested in any part of the ocean commonly called the Pacific Ocean, either in navigation or the same, in fishing therein, or in landing at such parts of the coast as shall not have been already occupied, in order to trade with the

natives, under the restrictions and conditions specified in the following Articles."

I understand Mr. Blaine's argument to be that if Great Britain had intended to protest against the claim of Russia to exclude ships for 100 miles from her coasts in Behring Sea, she would have taken this opportunity of doing so; but that in confining herself to stipulations in favour of full liberty of navigation and fishing in any part of the ocean, commonly called the Pacific Ocean, she, by application, renounced any claim that could arise out of the same set of circumstances in regard to any sea that was not part of the Pacific Ocean. And then Mr. Blaine goes on to contend that the phrase "Pacific Ocean" did not and does not include Behring Sea.

Even if this latter contention were correct, I should earnestly demur to the conclusion that our inherent rights to free passage and free fishing over a vast extent of ocean could be effectively renounced by mere reticence or omission. The right is one of which we could not be deprived unless we consented to abandon it, and that consent could not be sufficiently inferred from our negotiators having omitted to mention the subject upon one particular occasion.

But I am not prepared to admit the justice of Mr. Blaine's contention that the words "Pacific Ocean" did not include Behring Sea. I believe that in common parlance, then and now, Behring Sea was and is part of the Pacific Ocean; and that the latter words were used in order to give the fullest and widest scope possible to the claim which the British negotiators were solemnly recording of a right freely to navigate and fish in every part of it, and throughout its entire extent. In proof of the argument that the words "Pacific Ocean" do not include Behring Sea, Mr. Blaine adduces a long list of maps in which a designation distinct from that of "Pacific Ocean" is given to Behring Sea; either "Behring Sea," or "Sea of Kamachatka," or the "Sea of Anadir." The argument will hardly have any force unless it is applicable with equal truth to all the other oceans of the world. But no one will dispute that the Bay of Biscay forms part of the Atlantic Ocean, or that the Gulf of Lyons forms part of the Mediterranean Sea; and yet in most maps it will be found that to those portions of the larger sea a separate designation has been given. The question whether by the words "Pacific Ocean" the negotiators meant to include or to exclude Behring Sea depends upon which locution was esteemed to be the correct usage at the time. The date is not a distant one, and there is no ground for suggesting that the usage has changed since the Anglo-Russian Treaty of 1825 was signed. The determination of this point will be most satisfactorily ascertained by consulting the

ordinary books of reference. I append to this despatch a list of some 30 works of this class, of various dates from 1795 downward and printed in various countries, which combine to show that, in customary parlance, the words "Pacific Ocean" do include Behring Sea.

If, then, in ordinary language, the Pacific Ocean is used as a phrase including the whole sea from Behring Straits to the Antarctic Circle, it follows that Article I of the Treaty of 1825 did secure to Great Britain in the fullest manner the freedom of navigation and fishing in Behring Sea. In that case no inference, however indirect or circuitous, can be drawn from any omission in the language of that instrument to show that Great Britain acquiesced in the usurpation which the Ukase of 1821 had attempted. The other documents which I have quoted sufficiently establish that she not only did not acquiesce in it, but repudiated it more than once in plain and unequivocal terms; and as the claim made by the Ukase has no strength or validity except what it might derive from the assent of any Power whom it might affect, it results that Russia has never acquired by the Ukase any right to curtail the natural liberty of Her Majesty's subjects to navigate or fish in these seas anywhere outside territorial waters. And what Russia did not herself possess she was not able to transmit to the United States.

Her Majesty's Government have, in view of these considerations, no doubt whatever that British subjects enjoy the same rights in Behring Sea which belong to them in every other portion of the open ocean; but it is, nevertheless, a matter of sincere satisfaction that the President is willing to refer to arbitration what he conceives to be the matters which have been under discussion between the two Governments for the last four years. In regard to the questions as they are proposed by Mr. Blaine, I should say that as to the first and second, no objection will be offered by Her Majesty's Government. They are as follows:—

"1. What exclusive jurisdiction in the sea now known as the Behring Sea, and what exclusive rights in the seal fisheries there, did Russia assert and exercise prior and up to the time of the cession of Alaska to the United States?"

"2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?"

The third question is expressed in the following terms:—

"Was the body of water now known as the Behring Sea included in the phrase 'Pacific Ocean,' as used in the Treaty of 1825 between Great Britain and Russia; and what rights (if any) in the Behring Sea were given or conceded to Great Britain by the said Treaty?"

Her Majesty's Government would have no objection to referring

to arbitration the first part of that question, if it should be thought desirable to do so; but they would give that consent with the reservation that they do not admit that the decision of it can conclude the larger questions which the Arbitrator would have to determine. To the latter part of No. 3 it would be their duty to take exception:—

“What rights, if any, in the Behring Sea were given or conceded to Great Britain by the said Treaty?”

Great Britain has never suggested that any rights were given to her or conceded to her by the said Treaty. All that was done was to recognize her natural right of free navigation and fishing in that as in all other parts of the Pacific Ocean. Russia did not give those rights to Great Britain, because they were never hers to give away.

“4. Did not all the rights of Russia as to jurisdiction and as to the seal fisheries in Behring Sea east of the water boundary in the Treaty between the United States and Russia of the 30th March, 1867, pass unimpaired to the United States under that Treaty?”

This fourth question is hardly worth referring to an Arbitrator, as Great Britain would be prepared to accept it without dispute.

The fifth proposed question runs as follows:—

“5. What are now the rights of the United States as to the fur-seal fisheries in the waters of the Behring Sea outside of the ordinary territorial limits, whether such rights grow out of the cession by Russia of any special rights or jurisdiction held by her in such fisheries or in the waters of Behring Sea, or out of the ownership of the breeding islands, and the habits of the seals in resorting thither and rearing their young thereon, and going out from the islands for food, or out of any other fact or incident connected with the relation of those seal fisheries to the territorial possessions of the United States?”

The first clause, “What are now the rights of the United States as to the fur-seal fisheries in the waters of the Behring Sea outside of the ordinary territorial limits?” is a question which would be very properly referred to the decision of an Arbitrator. But the subsequent clause, which assumes that such rights could have grown out of the ownership of the breeding islands, and the habits of the seals in resorting thereto, involves an assumption as to the prescriptions of international law at the present time to which Her Majesty's Government are not prepared to accede. The sixth question, which deals with the issues that will arise in case the controversy should be decided in favour of Great Britain, would perhaps more fitly form the substance of a separate reference. Her Majesty's Government have no objection to refer the general question of a close time to arbitration, or to ascertain by that means

how far the enactment of such a provision is necessary for the preservation of the seal species; but any such reference ought not to contain words appearing to attribute special and abnormal rights in the matter to the United States.

There is one omission in these questions which I have no doubt the Government of the President will be very glad to repair; and that is the reference to the Arbitrator of the question, what damages are due to the persons who have been injured, in case it shall be determined by him that the action of the United States in seizing British vessels has been without warrant in international law. Subject to these reservations, Her Majesty's Government will be in great satisfaction in joining with the Government of the United States in seeking by means of arbitration an adjustment of the international questions which have so long formed a matter of controversy between the two Governments.

I have to request that you will read this despatch to Mr. Blaine and leave a copy of it with him should he desire it.

I am, &c.,

Sir J. Pouncefote.

SALISBURY

The Marquess of Salisbury to Sir J. Pouncefote.

(Telegraphic.)

Foreign Office, April 17, 1891

BEHRING SEA. Mr. Blaine's suggestion, which you mention in your private letter of the 7th April, that, pending the award of Arbitration on the Behring Sea question, all seal fishery should be stopped, both by sea and land, seems worthy of consideration.

If we approve of it, would Mr. Blaine prefer that the proposal should come from us?

Sir J. Pouncefote to the Marquess of Salisbury.—(Received May 1891)

MY LORD,

Washington, April 27, 1891

I HAVE the honour to inclose a copy of the note which I have addressed to Mr. Blaine, informing him that your Lordship was disposed favourably to entertain his alternative suggestion for a *modus vivendi* pending the result of the Behring Sea arbitration, namely, to stop all sealing, both at sea and on land, and inquiring whether, in case the proposal be finally accepted, he would prefer that it should be made by Her Majesty's Government.

In my telegram of the 23rd instant I had the honour to reply to your Lordship the verbal reply which I had received from Mr. Blaine to that communication. It was to the effect that

would prefer that the proposal should come from Her Majesty's Government, but that before taking any further step he desired to communicate by telegraph to the President, who was absent from Washington. I called to-day on Mr. Blaine to inquire whether he was now prepared to proceed with the proposal. He informed me that the President felt some difficulty arising from the fact that the lessees of the Pribyloff Islands are under contract to maintain a large number of natives (Aleuts) engaged in their sealing operations, and these they would have to support at a heavy loss during the whole period of the *modus vivendi*. This loss would ultimately fall on the United States' Government, and he had, therefore, suggested whether it might not be stipulated that a moderate number of seals might be killed on the islands, sufficient to cover the loss in question. I replied that I did not think such a suggestion would commend itself to your Lordship. The proposal that sealing should be stopped, both at sea and on land, was based on the recommendation of the United States' Government Agents, whose Reports had been laid before Congress, and copies of which I transmitted to your Lordship in my despatch of the 20th February last.

In acceding to the proposal, Her Majesty's Government would give a striking proof of their solicitude for the preservation of the seal species, and of the spirit of conciliation with which they were animated. There was to be an equal sacrifice on both sides, and it would be unreasonable that the proposed *modus vivendi* should be saddled with any special reservation for the benefit of either Party.

I further observed that, in view of the fact that the opening of the fishery season is already at hand, no time should be lost in putting it into force, if it is to be of any value this season.

I suggested that it might be agreed to put it in force for this season, irrespectively of the arbitration, and that in such case it would be a convenient time to send a Joint Commission of experts to the islands to collect evidence for the purposes of arbitration. I failed to perceive how any Arbitrators would undertake to pronounce an award on the question of a close time without proper materials on which to found their judgment, and these materials could alone be supplied by a Joint Commission. I added that I had no authority from your Lordship to make such a suggestion, but that I ventured to throw it out for consideration. Mr. Blaine replied that, as regards the reservation of the right to kill a limited number of seals on the islands to cover the loss which would result to the Company for the support of the Aleuts in their employ, that was a condition which might perhaps not be insisted on; but he was absolutely opposed to the suggestion of sending a Joint Commission of Experts to Behring Sea, or to putting in force the *modus vivendi* until the terms of the arbitration had been definitely agreed to.

I pointed out that if this were to be a condition of the arrangement, it would probably be too late to put it in force this season, view of the time which might elapse before the preliminaries of arbitration had been settled, and I reminded him that his proposal was simply that it should take effect "pending the result of arbitration."

He replied that his proposal, as understood by the President as well as himself, was subject to that condition, and he seemed to attach importance to it as being calculated to accelerate your Lordship's acceptance of the terms of arbitration proposed by the Government. I therefore explained to him that all your Lordship knew at present respecting the proposal was that it had been made by the United States' Government, obviously in their own interest, and that Her Majesty's Government had certainly nothing to gain by acceding to it. I begged him to disabuse the mind of the President of the idea that your Lordship, in giving the proposal favourable consideration, had been actuated by any other sentiment than that of friendliness to the United States' Government.

I added that if owing to delay in the settlement of the terms of arbitration, the proposed *modus vivendi* should not be put in force this season, and the predictions of the United States' Government Agents as to the consequences which must ensue from the non-cessation of sealing should be verified, the blame would certainly not attach to Her Majesty's Government.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 1881)

MY LORD,

Washington, May 5, 1881

I HAVE the honour to inclose a copy of a note which I received last night from Mr. Blaine containing detailed proposals for a *modus vivendi* during the approaching fishery season in Behring Sea, based on the principle of a cessation of seal killing both at sea and on land. The note contains a lengthy defence of the reservation desired by the President of the right to kill 7,500 seals for the support of the native residents of the Pribyloff Islands, a reservation which seems to me seriously to detract from the equality and simplicity of the original proposal. As regards Mr. Blaine's narrative of what passed between us in relation to the proposed *modus vivendi*, your Lordship will perceive from my despatch yesterday's date that he appears to have forgotten that the reason why I did not telegraph to your Lordship his alternative proposal for a *modus vivendi* was that it had been arranged between us, at a

suggestion, that he should make the proposal concurrently with his reply to your Lordship's despatch of the 21st February, for which I had so urgently pressed him.

I cannot call to my mind that the President's name was ever mentioned in the course of our two interviews, which Mr. Blaine correctly describes as "a conversational exchange of views."

If the President was so anxious that the alternative proposal should be telegraphed at once to your Lordship, it is to be regretted that Mr. Blaine did not apprise me of the President's wishes, as I should have certainly complied with them.

Mr. Blaine's reply to your Lordship's despatch of the 21st February was not delivered until the 14th April, and then it was not accompanied by the proposal for a *modus vivendi*. But fortunately I had informed your Lordship of the proposal by letter a few days after it was made, and I received a prompt reply by telegram which I communicated to Mr. Blaine on the 20th April.

Mr. Blaine, therefore, cannot justly complain of any delay on my part, or on the part of Her Majesty's Government, in relation to this matter.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(Inclosure.)—*Mr. Blaine to Sir J. Pauncefote.*

SIR,

Washington, May 4, 1891.

DURING the month of March last, a few days after the adjournment of Congress, acting under the instructions of the President I proposed to you that a *modus vivendi* be agreed upon touching the seal fisheries pending the result of arbitration of the question at issue between the two Governments. The President's first proposal which I submitted to you was that no Canadian sealer should be allowed to come within a certain number of miles of the Pribiloff Islands.

It was, however, the conclusion of the President, after reading Lord Salisbury's despatch of the 21st February, that this *modus vivendi* might possibly provoke conflict in the Behring Sea, and to avoid that result he instructed me to propose that sealing, both on land and sea, should be suspended by both nations during the progress of arbitration, or during the season of 1891. On both occasions it was a conversational exchange of views, the first at my office at the State Department, the second at my residence.

The President was so desirous of a prompt response from Lord Salisbury to his second proposition that I ventured to suggest that you request an answer by cable if practicable. Especially was the President anxious to receive an answer, which he trusted would be

favourable, before he should set out on his tour to the Pacific States. He left Washington on the night of the 13th April without having heard a word from your Government. It was then a full month after he had instructed me to open negotiations on the question, and the only probable inference was that Lord Salisbury would agree to his proposal.

The silence of Lord Salisbury implied, as seemed not improbable, that he would not restrain the Canadian sealers from entering the Behring Sea, and as all intelligence from British Columbia showed that the sealers were getting ready to sail in large numbers, the President found that he could not with justice prevent the lessees from taking seals on the Pribyloff Islands. The President therefore instructed the Secretary of the Treasury, who has official charge of the subject, to issue to the lessees the privilege of killing on the Pribyloff Islands the coming season the maximum number of 60,000 seals, subject, however, to the absolute discretion and power of an Agent appointed by the Secretary of the Treasury to limit the killing to as small a number as the condition of the herd might, in his opinion, demand.

On the 22nd April, eight days after the President had left Washington, you notified me when I was absent from the capital that Lord Salisbury was ready to agree that all sealing should be suspended pending the result of arbitration.

On the 23rd April I telegraphed Lord Salisbury's proposition to the President.

He replied on the 25th April, expressing great satisfaction at Lord Salisbury's message, but instructing me to inform you that "some seals must be killed by the natives for food;" that "the lessees are bound under their lease from the Government to feed and care for the natives, making it necessary to send a ship to the Pribyloff Islands at their expense;" and that for this service—a very expensive one—the "lessees should find their compensation in taking a moderate number of seals under the lease." The President expressed his belief that this allowance would be readily agreed to by Lord Salisbury, because the necessity is absolute.

You will remember that when I communicated this proposition from the President to you on the evening of Monday, the 22nd April, you did not agree to the President's suggestion. On the contrary, you expressed yourself as confident that Lord Salisbury would not accept it; that, in your judgment, the killing of seals must be cut off absolutely on the land and in the water; and that this could not be stopped on either unless stopped on both.

The narrative of facts which I have now given, absolutely necessary for clearly understanding the position of this Government, brings me to a further statement which I am directed by the

President to submit. The President refuses to believe that Lord Salisbury could possibly maintain the position you have taken when his Lordship is placed in full possession of the facts, which I shall now submit to you somewhat in detail.

When the privilege of killing seals on the Islands of St. George and St. Paul in Behring Sea was leased to the North American Company for a certain sum per skin to be paid to the Government, other duties of an onerous, costly, and responsible character were imposed upon the Company.

Under their lease the Company is obliged "to furnish to the inhabitants of the Islands of St. George and St. Paul annually such quantity or number of dried salmon, and such quantity of salt and such number of salt barrels for preserving their necessary supply of meat, as the Secretary of the Treasury shall from time to time determine."

The Company is further obliged to "furnish to the inhabitants of these islands 80 tons of coal annually, and a sufficient number of comfortable dwellings in which said natives may reside, and shall keep such dwellings in proper repair."

The Company is further obliged "to provide and keep in repair such suitable school-houses as may be necessary, and shall establish and maintain during eight months of each year proper schools for the education of the children on said islands, the same to be taught by competent teachers, who shall be paid by the Company a fair compensation, all to the satisfaction of the Secretary of the Treasury."

The Company is further obliged to "maintain a suitable house for religious worship, and will also provide a competent physician, or physicians, and necessary and proper medicines and medical supplies."

The Company is still further obliged "to provide the necessaries of life for the widows and orphans, aged and infirm inhabitants of said islands, who are unable to provide for themselves."

And it is finally provided that "all the foregoing agreements shall be done and performed by the Company free of all costs and charges to the said native inhabitants of said islands, or to the United States."

And it is made still further the duty of the Company "to employ the native inhabitants of said islands to perform such labour upon the islands as they are fitted to perform, and to pay therefor a fair and just compensation, such as may be fixed by the Secretary of the Treasury." And also the Company "agrees to contribute as far as in its power all reasonable efforts to secure the comfort, health, education, and promote the morals and civilization, of said native inhabitants."

In short, then, the means of living, the facilities for education, the care of health, the religious teaching, the training of the young and the comfort of the old, in a community of over 300 persons, all imposed upon the Company as its solemn duty by special Articles of the lease. I inclose you a copy of the Census of 1881 giving every name of the 303 persons, old and young, male and female, who constitute the whole community of the Pribilof Islands.

The duties thus imposed upon the Company must be discharged annually with punctuality and exactness. The comfort, possibly the safety, of all these human beings, peculiarly helpless when left to themselves, is dependent upon the Company under the lease, for the lessees are paid therefor by the Government in the seal-skips which the Company receive for the service. If the Company should, as you say Lord Salisbury requests, be deprived of all privilege in taking seals, they certainly could not be compelled to minister to the wants of these 300 inhabitants for an entire year. If the islanders are to be left to charity, the North American Company is under no greater obligation to extend it to them than are our citizens of the United States. It evidently requires a considerable sum of money to furnish all the supplies named in the lease, the supplies which must be carried 4,000 miles on a specially chartered steamer. If the lessees are not to be allowed payment in any form for the amount necessary to support these 300 people on the islands, they will naturally decline to expend it.

No appropriation of money has been made by Congress for this purpose, and the President cannot leave these worthy and innocent people to the hazard of starvation, even to secure any form of Agreement with Lord Salisbury touching seal life. Seal life may be valuable, but the first duty of the Government of the United States in this matter is to protect human life.

In this exigency, the President instructs me to propose to Lord Salisbury that he concede to the North American Company the right to take a sufficient number of seals, and no more than a sufficient, to recompense them for their outlay in taking care of the natives, and that, in the phrase of the President, all "commercial killing of seals be prohibited pending the result of arbitration."

The Secretary of the Treasury has a right to fix the number of seals necessary to the end desired. After full consideration, he has limited the number to 7,500 to be killed by the Company to recompense them for the outlay demanded for the support of the 300 people on the Pribilof Islands.

He further directs that no females be killed, and that thus the productive capacity of the herd shall not in the slightest degree be impaired.

This point being fixed and agreed to, the proposed Arrangement between the two countries would be as follows:—

The Government of the United States limits the number of seals to be killed on the islands for purposes just described to 7,500.

The Government of the United States guarantees that no seals shall be killed in the open waters of Behring Sea by any person on any vessel sailing under the American flag, or by any American citizen sailing under any other flag.

The Government of Great Britain guarantees that no seals shall be killed in the open waters of Behring Sea by any person on any vessel sailing under the British flag, and that no British subject shall engage in killing seals for the time agreed upon on any vessel sailing under any other flag.

These prohibitions shall continue until the 1st day of May, 1892, within which time the Arbitrators shall render final award or awards to both Governments.

These several propositions are submitted for the consideration of Lord Salisbury. The President believes that they are calculated to produce a result at once fair and honourable to both Governments, and thus lead to the permanent adjustment of a controversy which has already been left too long at issue.

I have, &c.,

Sir J. Pauncefote.

J. G. BLAINE.

Sir J. Pauncefote to the Marquess of Salisbury.—(Received May 14.)

MY LORD,

Washington, May 5, 1891.

WITH reference to my immediately preceding despatch, I have the honour to inclose herewith copy of a note which I have this day addressed to Mr. Blaine in answer to his communication of yesterday relative to a *modus vivendi* in Behring Sea.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(Inclosure.)—Sir J. Pauncefote to Mr. Blaine.

SIR,

Washington, May 5, 1891.

I HAVE the honour to acknowledge the receipt of your note of yesterday, in which you have formulated, for the consideration of the Marquess of Salisbury, detailed proposals for the *modus vivendi* during the approaching fishery season in Behring Sea on the principle of a cessation of seal killing both at sea and on land, an arrangement to which, as I informed you in my note of the 20th ultimo, his Lordship was disposed to give his favourable considera-

tion. I have forwarded to Lord Salisbury by this day's mail a copy of your note, and I have telegraphed to his Lordship the precise terms of the proposal with which it concludes.

I much regret to find that a misconception has arisen as regards your complaint of delay on my part in acquainting Lord Salisbury with your second or alternative proposal for a cessation of killing at sea and on land, which you originally made to me verbally. On that occasion, you may remember that I expressed some reluctance at sending any further proposals to his Lordship while the despatch of the 21st February last (submitting amendments on questions for arbitration) remained unanswered, and that I suggested that it would be more satisfactory if this new proposal were made concurrently with your reply to that despatch, which I hoped to receive with the least possible delay.

I understood you to assent to that suggestion, and to say that you would "proceed in that order."

If you had informed me that the President for any reason desired that this alternative proposal should be telegraphed to Lord Salisbury, I need hardly say that I should have complied at once with his wishes.

But I cannot call to mind that the President's name was even mentioned at our interview, which you correctly describe as "a conversational exchange of views."

Fortunately, however, no appreciable loss of time occurred. I acquainted Lord Salisbury with your alternative proposal by mail of the 7th April, a few days only after it was made, and received a prompt answer by telegraph, which enabled me to inform you by my note of the 20th April that his Lordship was disposed to consider the proposal favourably.

At an interview at your residence on the 28th April you expressed your satisfaction at Lord Salisbury's reply, and you stated that before taking any further steps you desired to communicate the telegraph with the President.

At a further interview at your residence on the 27th, you informed me that the President desired that the *modus vivendi* should contain a reservation of the right to kill a certain number of seals for the support of the natives of the Pribyloff Islands.

At first sight this reservation caused me some disappointment. It certainly appeared to me open to exception as detracting from the principle of equality, which was a feature of the original proposal. But I was more concerned at your stating that it was the intention of the President or of yourself that the *modus vivendi* should be put in force until the terms of arbitration had been settled.

This I feared would prevent the timely application of the *modus*

vivendi, and I so informed Lord Salisbury by telegraph on the same day.

I notice with satisfaction that no such condition is affixed to your present proposal, although the reservation as to the killing of a limited number of seals on the island is maintained.

I am glad to think that there is yet time to carry out for this fishery season any arrangement which may promptly be agreed to, and I hope that the above explanation may remove the impression you appear to have formed, that there has been any delay on my part in expediting the consideration of the *modus vivendi* which you have proposed.

I have, &c.,

J. G. Blaine, Esq.

JULIAN PAUNCEFOTE.

The Marquess of Salisbury to Sir J. Pauncefote.

(Telegraphic.)

Foreign Office, May 28, 1891.

I HAVE to inform you that to-night notice will be given of a Bill giving power to Her Majesty to prohibit for a limited time the hunting of seals in Behring Sea.

It is hoped that the House of Commons will sanction this Bill within a few days, but until this has been done it is impossible for Her Majesty's Government to agree formally with that of the United States as to a *modus vivendi*, or to send cruisers with instructions to prevent the sealing-vessels from entering Behring Sea.

[Continued in a subsequent Volume.]

PROTOCOL between the Cape of Good Hope and the Orange Free State, respecting the Admission of Basutoland into the Customs Union Convention of 1889.—Signed at Cape Town, January 10, 1891; and at Bloemfontein, February 28, 1891.

PROTOCOL to the Customs Union Convention entered into between his Excellency the Governor of the Colony of the Cape of Good Hope and his Honour the President of the Orange Free State, on behalf of their respective Governments, and given under their hands and the public seals of the said Colony and State on the

5th day of April, 1889, and the 28th day of March, 1889,* respectively, and to the Further Protocol and Supplement thereto, the said Protocol being signed and sealed as aforesaid by his Excellency the Governor of the said Colony, and his Honour the President of the said State, on the 4th day of June, 1890, and the 19th day of June, 1890,† and assented to by his Excellency the Governor of British Bechuanaland on the 4th day of June, 1890, and the said Supplement being signed by his Excellency the Governor of the said Colony and his Excellency the Governor of British Bechuanaland on the 22nd day of September, 1890, and by his Honour the President of the Orange Free State on the 11th day of September, 1890.

His Excellency the Governor of the Colony of the Cape of Good Hope and his Honour the President of the Orange Free State, mutually on behalf of their respective Governments, having regard to the application made by or on behalf of the Government of Basutoland to be included as a party to the subsisting Customs Union between the said Colony and State, and having regard to the Article of the subsisting Customs Union Convention entered into in the year 1889 between his Excellency the Governor of the Colony of the Cape of Good Hope and his Honour the President of the Orange Free State on behalf of their respective Governments, do hereby signify their joint assent in terms of Article X of the said Convention, to the admission of Basutoland as a party to the said Customs Union, subject to the terms and conditions following, to wit:—

1. The admission of Basutoland to the said Customs Union shall take effect and operate on and after the 1st July, 1890, provided that the Government of Basutoland shall before that date have passed the legislation requisite to give effect to the terms and conditions of this Protocol, relative to its admission as a party to the said Customs Union.

2. His Excellency the High Commissioner shall, at the first or end of this Protocol, signify on behalf of Her Majesty's Government his assent to this Protocol and to the terms and conditions herein contained relative to the admission of Basutoland as a party to the said Customs Union.

3. So soon as Basutoland shall be admitted as a party to the said Customs Union, the Government thereof shall become, be, and continue bound by the provisions of the aforesaid Customs Union Convention and of this Protocol thereto, and the terms of the said Convention shall, *mutatis mutandis*, be read and construed as though Basutoland were a fourth party thereto, the Government thereof having all the rights and being bound by all the obligations which

* Vol. LXXXII, page 281.

† Vol. LXXXII, page 642.

regard to the respective Governments of the Colony of the Cape of Good Hope, the Orange Free State, and the Territory of British Bechuanaland, to which the said Governments are mutually entitled, and by which they are mutually bound under the said Convention with regard to each other. Provided always that—

(a.) With regard to Articles III, IV, VII, X, and XI of the said Convention, the mutual agreement or joint assent of the two Governments of the Colony of the Cape of Good Hope and of the Orange Free State, shall be required and shall be sufficient to carry out the several purposes of the said Articles from time to time;

(b.) The Government of Basutoland shall be deemed to have agreed and consented to any proposal, matter, or thing approved or resolved on in terms of any of the said Articles by the mutual agreement or joint assent of the aforesaid two Governments;

(c.) No amendment of the provisions of the said Convention shall be made under Article XI thereof, before consultation with the Government of Basutoland;

(d.) No agreement, rule, or regulation made by the mutual agreement or joint assent in terms of paragraph (a) of this proviso of the two Governments therein referred to, shall at any time be deemed or taken to be applicable to and binding upon Basutoland or the Government thereof, unless such agreement, rule, or regulation shall be also applicable to and binding upon the Orange Free State, and the Government thereof, or unless the Government of Basutoland shall directly express to the said two Governments its assent to such agreement, rule, or regulation.

4. The Protocol of the said Customs Union Convention, entered into between the Governor of the Colony of the Cape of Good Hope and the President of the Orange Free State, on behalf of their respective Governments, and given under their hands and the Public Seals of the said Colony and State, on the 30th day of April, 1889, and the 24th day of April, 1889, respectively, shall be deemed for the purposes of this Protocol to form portion of the said Customs Union Convention.

Given under my hand and the Public Seal of the Colony of the Cape of Good Hope, at Cape Town, this 10th day of January, 1891.

(L.S.) HENRY B. LOCH, *Governor*.

Given under my hand and the Public Seal of the Orange Free State, at Bloemfontein, this 28th day of February, 1891.

(L.S.) F. W. REITZ, *State President*.

On behalf of Her Majesty's Government of Basutoland, I hereby signify my assent to the above Protocol and to the terms and con-

ditions therein contained, relative to the admission of Basuto as a party to the Customs Union subsisting between the Colony of the Cape of Good Hope and the Orange Free State.

Given under my hand and the Public Seal of Basutoland at Cape Town, this 10th day of January, 1891.

(L.S.) HENRY B. LOCH, *High Commissioner*

TABLE of Fees to be taken by the Officers of Her Majesty's Consular Court for Morocco.

[Approved by the Secretary of State for Foreign Affairs,
February 17, 1891.]

Fees in Supreme Court of Gibraltar.

All matters of whatever nature coming before the Supreme Court of Gibraltar shall be governed, so far as affects any proceedings therein, by the Table of Fees for the time being in force in the Supreme Court.

Poundage.

All poundage, except where otherwise herein specified, shall be estimated on the amount or value of the subject-matter of the proceeding upon which it is payable.

In every case where the poundage cannot be estimated by any of these rules it shall be estimated on 50*l*.

The hearing fee on interpleader shall be estimated on the amount of the money or the value of the goods claimed, which value, in case of doubt, shall be assessed by the Court, who, at the hearing, shall direct by whom and when and how such fee shall be paid.

Poundage on judgment summonses under section 63 is calculated on so much of the amount of the original demand as, under the order of the Court, is payable at the time of the issue of the summons.

In suits for the recovery of tenements, when the term has expired or is determined by notice, all poundage shall be estimated on the amount of the weekly, monthly, quarterly, half-yearly, or yearly rent of the tenement, according as such tenement shall have been let by the week, month, quarter, longer period; and if no rent has been reserved, then on the amount of the half-yearly value of the tenement, to be fixed, if necessary, by the Court.

All fractions of a pound, for the purpose of calculating poundage, shall be treated as an entire pound.

Summary Procedure for the Administration of Property of Deceased Persons under Section 89.

									£
1. Sealing summons	..	..	..	..	..	..	..	..	1
2. On order	..	..	..	..	..	..	..	..	1

Summary Orders before Suit under Section 72.

	£	s.	d.
3. On application for order	0	10	0
4. On recognizance	0	10	0
5. On order	0	5	0

Bankruptcy and Liquidation by Arrangement or Composition.

6. On declaration by a debtor of inability to pay his debts ..	0	5	0
7. On debtor's summons	0	5	0
8. On bankruptcy petition	5	0	0
9. On petition for arrangement or composition	1	0	0
10. On order for adjudication	1	0	0
11. On meeting or adjournment of meeting	1	0	0
12. On special resolution presented to the Registrar for registration	$\frac{1}{2}$ per cent. on the gross amount of the assets, not exceeding a total fee of 200 <i>l</i> .		
13. On extraordinary resolution presented to the Registrar for registration	$\frac{1}{2}$ per cent. on the gross amount of the composition, not exceeding a total fee of 200 <i>l</i> .		
14. On order of discharge	2	0	0
15. On notice to creditors, each	0	0	3
16. On preparing advertisement	0	5	0
17. On execution of warrant	1	0	0
18. On keeping possession, per diem	0	10	0
19. On inventory, per diem	1	0	0

Probate and Administration.

20. In all cases not dealt with under section 91 of the Principal Order, where the value of the estate does not exceed 100*l*., the fees to be taken for probate and administration shall not exceed in the aggregate 5 per cent. on the value of the estate.

In all other cases the fees shall be regulated according to the following scale:—

21. On application for probate or administration	1	0	0
22. On oath for every executor and administrator and surety ..	0	10	0
23. On every security	1	0	0
24. On probate, or letters of administration, with will annexed	The like sum as is for the time being payable in England for stamp duty in like cases, not exceeding a total fee of 100 <i>l</i> .		

25. On letters of administration without will annexed	}	The like sum as is for
		the time being payable in England for stamp duty in like cases, not exceeding total fee of 100 <i>l</i> .
26. Where the Court appoints as administrator an officer of the Court	}	In addition to the foregoing, 1 per cent. on the value of the estate and effects, not exceeding (with the foregoing) a total of 200 <i>l</i> .
27. Registering probate, or letters of administration		£ s.
28. Copy of Decree (if required)		0 10
29. Copy of Decree, if above six folios, per folio of 72 words beyond six		0 1
30. Certificate under seal		0 10
31. Filing bond		0 5
32. Filing any account		0 10
33. Passing any account		1 0

Ordinary Suits.

34. On sealing a writ of summons for the commencement of an action:—

3*d*. in the pound, not exceeding a total fee of 25*l*., but in no case less than 2*s*. 6*d*.

35. On sealing every judgment summons under section 63 of the Principal Order, 2*d*. in the pound on so much of the amount of the original demand as, under the order of the Court, is payable at the time of issue of the summons, but in no case less than 2*s*. 6*d*.

36. On sealing a concurrent, renewed, or amended writ of summons for the commencement of an action 0 2

37. On sealing a third party notice under R 0 2

38. On sealing a writ of mandamus, other than under section 72 of the Principal Order 0 10

39. On sealing a writ of subpœna for witnesses, not exceeding three persons 0 5

40. On sealing a subpœna pursuant to "The Court of Probate Act, 1858," section 23, and every writ not otherwise specified .. 0 5

41. On sealing a writ of execution against goods for less than 50*l*.. 0 5

42. On sealing a writ of execution against goods for 50*l*. and upwards 1 0

43. On sealing any originating summons 0 10

44. On amending same 0 5

45. On sealing or issuing any summons not particularly charged, or Taxing Master's warrant 0 2

No fee shall be payable on any application for or on the hearing of any application for a new trial, or to

£ s. d.

set aside proceedings, or for a summons in interpleader.

Examination of Witnesses.

46. On every witness examined in Court	0	2	6
47. On every memorandum of appointment for an examination ..	0	5	0
48. On every witness sworn and examined by an officer of the Court in his office, unless otherwise provided, including oath, for each hour or part of an hour	0	10	0
49. On an examination of witnesses by any such officer away from the office (in addition to reasonable travelling and other expenses), for each hour or part of an hour	1	0	0

The officer may, before going to the place of examination, require a deposit, or an undertaking in writing to pay any fees and expenses which may become payable, and in case of a deposit shall make a memorandum thereof, and deliver the same to the party making the deposit.

Hearing.

50. On entering or setting down, or re-entering or re-setting down any cause, including hearing, whether on summons adjourned from Chambers to Court, or otherwise, and including special case or matter by which a proceeding is commenced, 3 <i>d.</i> in the pound, not exceeding a total fee of 25 <i>l.</i> , but in no case less than 2 <i>s.</i> 6 <i>d.</i>			
51. On an order for adjournment of hearing rendered necessary by default or request of either party (to be paid by that party).	0	7	6
52. In all cases where the defendant shall, either personally or by his solicitor or agent, admit the claim, one-half of the hearing fee paid by the plaintiff shall be returned to him by the Registrar, though the Court may have been required to decide upon the terms and conditions upon which the claim is to be paid.			
53. An additional hearing fee shall be taken for every new trial.			
54. On the hearing of a judgment summons under section 63 of the Principal Order, 3 <i>d.</i> in the pound on the amount on which the fee on the summons is calculated, but in no case less than 2 <i>s.</i> 6 <i>d.</i>			
55. On the hearing of any summons in Chambers other than an originating summons	0	5	0

Judgments, Decrees, and Orders.

56. On entering any order in the Order Book	0	2	6
57. If made in Court on the original hearing, or hearing on further consideration of a cause, or on the hearing of a special case or petition, unless otherwise provided	0	5	0
Judgment by consent, or default judgment, 3 <i>d.</i> in the pound on the amount claimed in the summons, but in no case less than 2 <i>s.</i> 6 <i>d.</i>			

	£	s.
58. Order for sale or purchase of lands, for every 100 <i>l.</i> or fraction of 100 <i>l.</i> involved	0	2
59. Order for accounts on every 100 <i>l.</i> or fraction of 100 <i>l.</i> found to have been received, without deducting any payment.. ..	0	1
60. On a certificate of the Registrar of the result of any proceeding or taxation of costs before him, including one or any number of matters.. .. .	0	10

Appeal to Supreme Court.

61. On motion for leave to appeal	0	10
62. On motion for leave to appeal against adjudication of bankruptcy	5	0
63. On motion for leave to appeal against allowance, suspension, or refusal of order of discharge	5	0
64. On every security	0	10
65. On order for leave to appeal	1	0
66. On hearing of any appeal in the Supreme Court, $\frac{1}{4}$ per cent. on the amount involved, not exceeding a total fee of 25 <i>l.</i>		

Filing.

67. On filing a special case	1	0
68. On filing an affidavit, deposition, or set of depositions (including any exhibits annexed to such affidavits or depositions), statement of claim, official and special Referee's certificate, petition, submission to arbitration, award, warrant of attorney, cognovit, bail bond, writ of execution, with return, and power of attorney, and any other document not otherwise specified	0	5
69. On filing scripts in a probate action, or on depositing, pursuant to an order in any cause or matter, any documents for safe custody or production, if the number does not exceed five ..	0	5
70. If exceeding five	0	10
71. On a receipt for any document or documents to which the last two fees apply, when delivered out	0	2
72. On filing bill of sale and affidavit therewith when the consideration (including further advances) does not exceed 100 <i>l.</i> ..	0	5
73. When the consideration exceeds 100 <i>l.</i> for every 100 <i>l.</i> or part of 100 <i>l.</i>	0	5
74. On filing under "The Bills of Sales Act, 1878 and 1882," any other documents to which the fees Nos. 72 and 73 do not apply	0	10

Copies.

75. On a copy of any document, for each folio	0	1
76. On examining a written or printed copy, and marking or sealing same as an office copy, for each folio	0	0
77. On making a copy and marking same as an office copy, for each folio	0	1
78. On a copy in a foreign language, double the above fees.		

	£	s.	d.
79. For an official certified translation of any document, for first folio of 72 words	0	7	6
80. For every further folio of 72 words	0	5	0
81. On a copy of a plan, map, section, drawing, photograph, or diagram, the actual cost.			
82. Extract from any document, for each folio	0	1	0

Attendances.

83. On an application for any officer to attend a foreign Court, or as a witness, or to produce records or documents to be given in evidence (in addition to the reasonable expenses of the officer), for each day or part of a day he shall necessarily be absent from his office, not exceeding two hours	1	0	0
84. For every additional hour or part of an hour (Not exceeding a total fee of 4l.)	0	10	0

The officer may, before leaving his office, require a deposit or a guarantee in writing to pay any fees or expenses which may become payable.

85. On a verbal application to a local authority, for any purpose whatever relating to any proceeding under the Principal Order	0	10	0
86. Attendance of a Consular officer elsewhere than at his office, for any purpose not specially provided for, in addition to reasonable expenses of the officer, for each hour or part of an hour he is necessarily absent from his office (Not exceeding a total fee of 4l.)	0	10	0
87. For every declaration made by a Consular officer before a local authority or notary public at request of party interested ..	0	10	0
88. For attendance of Consular officer at the Supreme Court of Gibraltar (in addition to the reasonable expenses of the officer), for the first day	5	0	0
89. For every additional day or part of a day	2	0	0

Oaths, &c.

90. For taking an affidavit, or an affirmation, or an attestation upon honour in lieu of an affidavit or declaration	0	2	6
91. And in addition thereto, for every exhibit therein referred to and required to be marked	0	2	6

Certificates.

92. On a certificate of an affidavit or proceeding having been entered, filed, or taken, or of the negative thereof, unless otherwise provided	0	2	6
93. Or if required for use in a foreign country	0	10	0

Searches and Inspections.

94. On an application to search for an affidavit and inspecting the same	0	1	0
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95. On an application to search an index, and inspect a judgment, decree, order, or other record, and to inspect scripts filed, or documents deposited pursuant to an order for safe custody or production, for each hour or part of an hour occupied ..	0
96. Not exceeding in one day	1
97. On reference to archives	0

Registration of Documents, &c.

98. Registering any mortgage deed, conveyance, letters patent, will, or document requiring registration, and comparing and certifying the same under seal, in addition to the certificate fee of 10s.	0 1
99. Ditto, if above 10 folios, for every folio of 72 words above that number	0
100. Poundage on moneys paid into Court for care, risk, and responsibility	1 per

Taxation of Costs.

101. Taxation of practitioner's bill of costs, not exceeding 10 folios..	0 1
102. For every folio beyond 10	0
103. Taxation of Marshal's bill of fees	0

Acknowledgments by Married Women to Deeds.

104. Taking the acknowledgment of a married woman to any deed ..	1
105. Filing certificate	0

Miscellaneous.

106. On taking an inventory, per diem	1
107. For communications between two Consular Courts	0 1
108. For communications in writing to foreign or local authority and filing reply	0 1
109. For application to local authority for permission to sell or purchase realty	1

Fees to be taken by the Interpreter.

110. For interpreting in any language in the Court, per day or part of a day	0 10
111. For attendance at Supreme Court of Gibraltar, if required by a party to the suit (in addition to reasonable expenses) such sum as the Court shall allow, not exceeding per day	3

Fees to be taken by the Marshal.

112. Service of summons, orders, or other documents not otherwise specified, if within a mile of the Court	0 2
113. Every additional mile or part of a mile	0 1
114. Arresting any party, and taking bail to appear	0 5
115. Drawing and assigning (where required) bail bond	0 5

	£	s.	d.
116. Where parties settle action without bail, and defendant is discharged on payment of the debt	0	5	0
117. Copy warrant of arrest when required by defendant	0	2	0
118. Executing warrant of arrest, attachment, or execution on property	0	5	0
119. If execution be withdrawn before sale	0	7	6
120. Attending trial of each cause	0	2	6
121. Issuing and serving each subpoena, including copy for service ..	0	2	6
122. Serving notice on jurors or assessors, each	0	2	6
123. For every prisoner discharged by consent indorsed on bail bond	0	5	0
124. For sale of personal property under execution when amount under 10 <i>l.</i>	0	10	0
125. For sale of personal property under execution when amount above 10 <i>l.</i> , for every additional 10 <i>l.</i> or part of 10 <i>l.</i>	0	2	6
126. Poundage for sale of landed property by decree of Court, to the amount of 200 <i>l.</i>	½	per cent.	
127. Ditto, on any amount beyond	½	per cent.	
In every case when the duty to be performed is more than 1 mile from the Court, an additional fee of 1 <i>s.</i> per mile is to be charged.			

Keeper of the Gaol.

128. For attending Court with a prisoner as a witness	0	5	0
129. For every prisoner discharged by consent indorsed on bail bond	0	5	0

Criminal Matters.

130. On every summons or warrant	0	2	6
131. On hearing in summary case	0	2	6
132. On warrant of commitment	0	1	6
133. On recognizance	0	1	0
134. For service of notice on each juror or assessor (to Marshal) ..	0	2	6
135. On trial with a jury	0	10	0
136. On record of sentence on trial with a jury	0	10	0

The Court may suspend or remit any of the above fees when it shall deem it to be in the interest of justice to do so.

Counsel's Fees.

To be calculated on the basis of those appointed to be taken on the Plenary side of the Supreme Court of Gibraltar, with such extra allowance for distance, extra trouble, &c., as the Court may think right. Subject in all cases to revision by the Supreme Court.

CONVENTION between Denmark and Italy, respecting certain Taxes (Gabella Hereditaria and Census Emigrationis). Signed at Copenhagen, November 7, 1891.

[Ratifications exchanged at Copenhagen, March 31, 1892.]

SA Majesté le Roi d'Italie et Sa Majesté le Roi de Danemark désirant que leurs sujets respectifs dans les États et possessions de l'autre Haute Puissance soient exempts de tout droit ou imposition de détraction et d'émigration, les Soussignés, dûment autorisés à cet effet, sont convenus de ce qui suit:—

ART. I. Aucun des droits connus sous le nom de "Gabella Hereditaria" et "Census Emigrationis" ne sera exigé ou perçu lorsqu'en cas de succession, donation, émigration, ou autres, aura lieu à une translation de biens du Royaume d'Italie dans le Royaume de Danemark, ou de celui-ci dans le Royaume d'Italie, toutes les impositions de cette nature étant abolies entre les deux pays, à l'exception de celles qui, soit à raison de droit de succession de vente, ou d'autres, seraient acquittées dans le cas même où les biens resteraient dans le pays en question.

II. Cette disposition s'étend non seulement aux droits et impositions du genre indiqué qui font partie des revenus publics, mais encore à ceux qui jusqu'à présent pourraient avoir été levés sur quelques particuliers, communes, ou corporations.

III. La présente Convention est applicable non seulement à toutes les successions à échoir à l'avenir, mais à toutes les translations de biens en général où l'exportation n'a pas encore été effectuée.

IV. Comme cette Convention ne s'applique qu'aux biens destinés à leur libre exportation, toutes les lois relatives aux émigrants restent les mêmes et au service militaire restent en pleine vigueur dans les deux pays, et les Gouvernements Contractants ne sont nullement restraints par la présente Convention dans leur future législation sur ce sujet.

V. La présente Convention sera ratifiée, et les ratifications seront échangées le plus tôt que faire se pourra. Elle entrera en vigueur à dater du jour où les ratifications auront été échangées.

En foi de quoi les Soussignés ont signé la présente Convention et l'ont revêtue du cachet de leurs armes.

Faite en double à Copenhague, le 7 Novembre, 1891.

(L.S.) T. CATALANI.

(L.S.) DE ROSENÖRN-LEHMAN.

CONVENTION between Guatemala and Mexico, for the Settlement of Claims. — Signed at Guatemala, December 22, 1891.

[Ratifications exchanged at Guatemala, July 9, 1892.]

(Translation.)

WHEREAS on the 26th January, 1888,* a Convention was concluded between the Republic of Guatemala and the United States of Mexico for the adjustment of claims of both Republics by means of a Mixed Commission, the duration of which was limited to one year reckoning from the date of its first meeting; and inasmuch as this period has been insufficient to settle all the claims presented within the stipulated term:

The President of the Republic of Guatemala and the President of the United States of Mexico, both animated with the desire not to injure the reciprocal interests of the claimants of both nations, and in order that the whole matter may be brought to a conclusion as was originally stipulated, thus maintaining the friendly relations which unite the two Republics, have named as their Plenipotentiaries the following, viz.:

For the President of the Republic of Guatemala, Señor Emilio de León, Licentiate and Minister for Foreign Affairs; and

For the President of the United States of Mexico, Señor Carlos Américo Lera, Licentiate and Acting Chargé d'Affaires of Mexico to the Republics of Central America;

Who, after having presented their respective full powers, which have been found to be in good and due form, have agreed on the following Articles:—

ART. I. The High Contracting Parties agree to renew, for once only, and for a period not exceeding six months, the Convention of the 26th January, 1888, with the exclusive object that the Mixed Commission appointed thereunder shall occupy itself solely in deciding cases which were submitted in due time, and which were not settled by the 31st July of the present year.

II. The Commissioners shall meet within four months counting from the exchange of ratifications of this Convention.

The six months referred to in the preceding Article shall be reckoned from the date of the first meeting of the Commissioners. During the first of these months the Commissioners will receive the statements submitted to them by the respective Governments, or their Agents, in support or in defence of the claims, and in the four

* Vol. LXXXI, page 255.

succeeding months will be decided without further procedure in matters for which the present Convention has been concluded. If the Commissioners fail to agree upon any point, they will in writing their respective opinions, and will forward immediately to the Arbitrator all the particulars of the case, in order that judgment may be given, after the evidence for and against has been examined, and, if necessary, after having heard the Agents of the two Governments.

The last month is to be devoted by the Arbitrator to the solution of any questions which may be still awaiting his decision.

III. With the exception of the stipulations contained in the preceding Articles, the above-named Convention of the 26th January 1888, is renewed in every particular.

IV. The present Convention shall be ratified in conformity with the laws in force in both Republics, and the exchange of ratifications shall be made in the city of Guatemala at as early a date as may be possible.

In faith of which the respective Plenipotentiaries have signed duplicate the present Convention, and have affixed thereto their respective seals on the 22nd day of December, 1891.

(L.S.) EMILIO DE LÉ

(L.S.) C. A. LERA.

ADDITIONAL ARTICLE between Italy and Spain, regulating the Transit through the Territories of either Country of Persons under Extradition to a third State.—Signed at Madrid, May 6, 1891.

(Translation.)

THE Government of His Majesty the King of Italy and the Government of His Majesty the King of Spain, desiring to regulate upon the basis of the Convention of Extradition of the 3rd January 1868,* the transit through their respective territories of persons under extradition to a third State, the Undersigned, duly authorized, have signed the following Additional Article to the aforesaid Convention, which shall also be of the same duration :—

Article.—The extradition in transit through Italian or Spanish territory, or by means of the ships or maritime service of the two countries, of an individual not belonging to the country through which he is to pass, and under extradition to a third State, shall be authorized upon a simple request through the diplomatic channels.

* Vol. LXIII page 783.

accompanied by all the documents necessary to show that the offence in question is not of a political or of a purely military character.

The person transported shall travel by the most expeditious routes, in the charge of the agents of the country making the request, and at the expense of the Government which has put forward the claim.

The present Article shall not go into force until it has been approved by the two Parties in the usual constitutional manner.

Done in duplicate at Madrid, the 6th May, 1891.

(L.S.) MAFFEI, *Ambassador of His Majesty
the King of Italy.*

(L.S.) DUKE OF TETUAN, *Minister of
Foreign Affairs of Spain.*

*TREATY of Friendship, Commerce, and Navigation between
the United States and the Independent State of the Congo.—
Signed at Brussels, January 24, 1891.**

[Ratifications exchanged at Brussels, February 2, 1892.]

THE United States of America and His Majesty Leopold II, King of the Belgians, Sovereign of the Independent State of the Congo, desiring to perpetuate, confirm, and encourage the relations of commerce and of good understanding existing already between the two respective countries by the conclusion of a Treaty of Amity, Commerce, Navigation, and Extradition, have for this purpose named as their respective Plenipotentiaries, viz.:

His Excellency the President of the United States of America, Edwin H. Terrell, Envoy Extraordinary and Minister Plenipotentiary of the United States of America near His Majesty the King of the Belgians; and

His Majesty Leopold II, King of the Belgians, Sovereign of the Independent State of the Congo, Edm. van Eetvelde, Administrator-General of the Department of Foreign Affairs, officer of his Order of Leopold;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:—

ART. I. There shall be full, entire, and reciprocal liberty of

* Signed also in the French language.

commerce, establishment, and navigation between the citizens inhabitants of the two High Contracting Parties.

The citizens and inhabitants of the United States of America, the Independent State of the Congo, and those of the Independent State of the Congo in the United States of America, shall reciprocally the right, on conforming to the laws of the countries entered, travel, and reside in all parts of their respective territories to carry on business there; and they shall enjoy in this respect the protection of their persons and their property the same treatment and the same rights as the natives or the citizens and inhabitants of the most favoured nation.

They can freely exercise their industry or their business, as wholesale as retail, in the whole extent of the territories, without being subjected, as to their persons or their property, or by reason of their business, to any taxes, general or local, imposts or conditions whatsoever, other or more onerous than those which are imposed, or may be imposed, upon the natives other than civilized aborigines, or upon the citizens and inhabitants of the most favoured nation.

In like manner they will enjoy reciprocally the treatment of the most favoured nation in all that relates to rights, privileges, exemptions, and immunities whatsoever concerning their person or property, and in the matter of commerce, industry, and navigation.

II. In all that concerns the acquisition, succession, possession, and alienation of property, real and personal, the citizens and inhabitants of each of the High Contracting Parties shall enjoy in the territories of the other all the rights which the respective governments accord or shall accord in those territories to the citizens and inhabitants of the most favoured nation.

III. The citizens and inhabitants of each of the High Contracting Parties shall be exempt in the territories of the other from all personal service in the army, navy, or militia, and from pecuniary contributions in lieu of such, as well as from all compulsory official functions whatever, except the obligation of sitting within a radius of 100 kilom. from the place of their residence as juror in judicial proceedings; furthermore, their property shall not be taken for the public service without an ample and sufficient compensation.

They shall have free access to the Courts of the other countries conforming to the laws regulating the matter, as well for prosecution as for the defence of their rights in all the degrees of jurisdiction established by law. They can be represented by lawyers, and they shall enjoy in this respect, and in what concerns domiciliary visits to their houses, manufactories, stores, warehouses, &c., the same rights and the same advantages which are or shall be

granted to the citizens and inhabitants of the most favoured nation or to natives.

IV. The citizens and inhabitants of the two countries shall enjoy in the territory of the other a full and entire liberty of conscience. They shall be protected in the free exercise of their worship; they shall have the right to erect religious edifices and to organize and maintain missions.

V. It will be lawful for the two High Contracting Parties to appoint and establish Consuls, Vice-Consuls, Deputy Consuls, Consular Agents, and Commercial Agents in the territories of the other; but none of these Agents can exercise his functions before having received the necessary exequatur from the Government to which he is delegated.

The said Agents of each of the two High Contracting Parties shall enjoy in the territories of the other, upon the footing of a complete reciprocity, all the privileges, immunities, and rights which are actually granted to those of the most favoured nation, or which may be accorded to them hereafter.

The said Agents, citizens or inhabitants of the State by which they are appointed, shall not be subject to preliminary arrest, except in the case of acts qualified as crimes by the local legislation, and punished as such. They shall be exempt from military billeting, and from service in the army, navy, or militia, as well as from all direct taxes, unless these shall be due on account of real estate, or unless the said Agents should exercise a profession or business of any kind.

The said Agents can raise their national flag over their offices.

The Consular offices shall be at all times inviolable. The local authorities cannot invade them under any pretext. They cannot in any case examine or seize the papers which shall be there deposited. The Consular office cannot, on the other hand, serve as place of asylum, and if an Agent of the Consular Service is engaged in business, commercial or other, the papers relating to the Consulate shall be kept separate.

The said Agents shall have the right to exercise all the functions generally appertaining to Consuls, especially in what concerns the legalization of private and public documents, of invoices and commercial contracts, the taking of depositions, and the right of authenticating legal acts and documents.

The said Agents shall have the right to address the administrative and judicial authorities of the country in which they exercise their functions in order to complain of any infraction of the Treaties or Conventions existing between the two Governments, and for the purpose of protecting the rights and interests of the citizens and inhabitants of their country. They shall have also the

right to settle all differences arising between the captains or officers and the sailors of the sea vessels of their nation. The local authorities shall abstain from interfering in these cases unless the maintenance of the public tranquillity requires it, or unless the assistance should be asked by the Consular authority in order to assure the execution of its decision.

The local authorities will give to the said Agents, and on the default to the captains or their casual representatives, all aid in the search and arrest of sailor deserters, who shall be kept guarded in the prisons of the State upon the requisition and the expense of the Consuls or of the captains, during a maximum delay of two months.

VI. The citizens and inhabitants of each of the High Contracting Parties shall have reciprocally, according to the same rights and conditions, and with the same privileges, as those of the most favoured nation, the right to enter with their vessels cargoes into all the ports, and to navigate upon all the rivers and interior waters of the other State.

The vessels of each of the Contracting Parties and of its citizens or inhabitants can freely navigate upon the waters of the territory of the other without being subject to any other tolls, charges or obligations than those which the vessels belonging to the citizens or inhabitants of the most favoured nation would have to bear.

There will not be imposed by either of the Contracting Parties upon the vessels belonging to the other, or to the citizens or inhabitants of the other, in the matter of tonnage, port charges, pilotage, lighthouse, and quarantine dues, salvage of vessels, and of administrative expenses whatsoever concerning navigation, taxes or charges whatever, other or higher than those which are or shall be imposed upon the public or private vessels of the most favoured nation.

It is agreed that every vessel belonging to one of the High Contracting Parties, or to a citizen or inhabitant of one of the said States, having the right to bear the flag of that country and having the right to its protection, both according to the laws of that country, shall be considered as a vessel of that nationality.

VII. In what concerns the freight and facilities of transportation and tolls, the merchandize belonging to the citizens or inhabitants of one of the Contracting States transported over roads, railroads, and waterways of the other State, shall be treated on the same footing as the merchandize belonging to the citizens or inhabitants of the most favoured nation.

VIII. In the territories of neither of the High Contracting Parties shall there be established or enforced a prohibition against the importation, exportation, or transit of any article of le

commerce produced or manufactured in the territories of the other, unless this prohibition shall equally and at once be extended to all other nations.

IX. [Extradition.]

[Struck out by the Senate of the United States.]

X. The Republic of the United States of America, recognizing that it is just and necessary to facilitate to the Independent State of the Congo the accomplishment of the obligations which it has contracted by virtue of the General Act of Brussels of the 2nd July, 1890,* admits, so far as it is concerned, that import duties may be collected upon merchandize imported into the said State.

The tariff of these duties cannot go beyond 10 per cent. of the value of the merchandize at the port of importation, during fifteen years to date from the 2nd July, 1890, except for spirits, which are regulated by the provisions of Chapter VI of the General Act of Brussels.

At the expiration of this term of fifteen years, and in default of a new accord, the United States of America will be replaced, as to the Independent State of the Congo, in the situation which existed prior to the 2nd July, 1890; the right to impose import duties to a maximum of 10 per cent. upon merchandize imported into the said State remaining acquired to it, on the conditions and within the limitations determined in Articles XI and XII of this Treaty.

XI. The United States shall enjoy in the Independent State of the Congo, as to the import duties, all the advantages accorded to the most favoured nation.

It has been agreed besides— .

1. That no differential treatment nor transit duty can be established;

2. That in the application of the tariff régime which will be introduced, the Congo State will apply itself to simplify, as far as possible, the formalities and to facilitate the operations of commerce.

XII. Considering the fact that in Article X of the present Treaty the United States of America have given their assent to the establishment of import duties in the Independent State of the Congo under certain conditions, it is well understood that the said Independent State of the Congo assures to the flag, to the vessels, to the commerce, and to the citizens and inhabitants of the United States of America, in all parts of the territories of that State, all the rights, privileges, and immunities concerning import and export duties, tariff régime, interior taxes, and charges, and, in a general manner, all commercial interests, which are or shall be accorded to

the Signatory Powers of the Act of Berlin or to the most favored nation.

XIII. In case a difference should arise between the two Contracting Parties as to the validity, interpretation, application or enforcement of any of the provisions contained in the present Treaty, and it could not be arranged amicably by diplomatic correspondence between the two Governments, these last agree to submit it to the judgment of an Arbitration Tribunal, the decision of which they bind themselves to respect and execute loyally.

The Tribunal will be composed of three members. Each of the two High Contracting Parties will designate one of them, selected outside of the citizens and the inhabitants of either of the Contracting States and of Belgium. The High Contracting Parties may, by common accord, ask a friendly Government to appoint the Arbitrator, to be selected equally outside of the two Contracting States and of Belgium.

If an Arbitrator should be unable to sit by reason of death, resignation, or for any other cause, he shall be replaced by another Arbitrator, whose appointment shall be made in the same manner as that of the Arbitrator whose place he takes.

The majority of Arbitrators can act in case of the intentional absence or formal withdrawal of the minority. The decision of the majority of the Arbitrators will be conclusive upon all questions to be determined.

The general expenses of the arbitration procedure will be borne in equal parts, by the two High Contracting Parties; but the expenses made by either of the parties for preparing and supporting its case will be at the cost of that party.

XIV. It is well understood that if the Declaration on the subject of the import duties, signed the 2nd July, 1890,* by the Signatory Powers of the Act of Berlin, should not enter into effect in that case the present Treaty would be absolutely null and void.

XV. The present Treaty shall be subjected to the approval of the ratification, on the one hand, of the President of the United States, acting by the advice and with the consent of the Senate, and, on the other hand, of His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo.

The ratifications of the present Treaty shall be exchanged at the same time as those of the General Act of Brussels of the 20th July, 1890, and it will enter into force at the same date as the latter.

In faith of which the respective Plenipotentiaries of the

Contracting Parties have signed the present Treaty in duplicate, in English and in French, and have attached thereto their seals.

Done at Brussels, the 24th day of the month of January, of the year 1891.

(L.S.) EDWIN H. TERRELL

(L.S.) EDM. VAN EETVELDE.

PROCLAMATION by the President of the United States, respecting a reciprocal Commercial Arrangement between the United States and Brazil.—Washington, February 5, 1891.

WHEREAS pursuant to section 3 of the Act of Congress approved the 1st October, 1890 [Chap. 1244], entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," the Secretary of State of the United States of America communicated to the Government of the United States of Brazil the action of the Congress of the United States of America, with a view to secure reciprocal trade, in declaring the articles enumerated in said section 3, to wit, sugars, molasses, coffee, and hides, to be exempt from duty upon their importation into the United States of America:

And whereas the Envoy Extraordinary and Minister Plenipotentiary of Brazil at Washington has communicated to the Secretary of State the fact that, in due reciprocity for and consideration of the admission into the United States of America free of all duty of the articles enumerated in section 3 of said Act, the Government of Brazil has, by legal enactment, authorized the admission, from and after the 1st April, 1891, into all the established ports of entry of Brazil, free of all duty, whether national, State, or municipal, of the articles or merchandize named in the following Schedule, provided that the same be the product and manufacture of the United States of America:—

1.—Schedule of Articles to be admitted free into Brazil.

Wheat.

Wheat flour.

Corn or maize, and the manufactures thereof, including corn meal and starch.

Rye, rye flour, buckwheat, buckwheat flour, and barley.

Potatoes, beans, and peas.

Hay and oats.

Pork, salted, including pickled pork and bacon, except hams.

Fish, salted, dried, or pickled.

Cotton-seed oil.

Coal, anthracite and bituminous.

Rosin, tar, pitch, and turpentine.

Agricultural tools, implements, and machinery.

Mining and mechanical tools, implements, and machinery, including stationary and portable engines, and all machinery for manufacturing and industrial purposes except sewing-machines.

Instruments and books for the arts and sciences.

Railway construction material and equipment.

And that the Government of Brazil has, by legal enactment, further authorized the admission into all the established ports of entry of Brazil, with a reduction of 25 per cent. of the duty designated on the respective article in the Tariff now in force or which may hereafter be adopted in the United States of Brazil, whether national, State, or municipal, of the articles or merchandize named in the following Schedule, provided that the same be the product or manufacture of the United States of America :—

2.—Schedule of Articles to be admitted into Brazil with a Reduction of Duty of 25 per cent.

Lard, and substitutes therefor.

Bacon hams.

Butter and cheese.

Canned and preserved meats, fish, fruit, and vegetables.

Manufactures of cotton, including cotton clothing.

Manufactures of iron and steel, single or mixed, not included in the foregoing free Schedule.

Leather, and the manufactures thereof, except boots and shoes.

Lumber, timber, and the manufactures of wood, including cooperage, furniture of all kinds, waggons, carts, and carriages.

Manufactures of rubber.

And that the Government of Brazil has further provided that the laws and regulations adopted to protect its revenue and prevent fraud in the declarations and proof that the articles named in the foregoing Schedules are the product or manufacture of the United States of America, shall place no undue restrictions on the importer, nor impose any additional charges or fees therefor on the articles imported ;

And whereas the Secretary of State has, by my direction, given assurance to the Envoy Extraordinary and Minister Plenipotentiary of Brazil at Washington that this action of the Government of Brazil in granting exemption of duties to the products and manufactures of the United States of America, is accepted as a due reciprocity for the action of Congress, as set forth in section 3 of said Act :

Now, therefore, be it known that I, Benjamin Harrison, President of the United States of America, have caused the above stated modifications of the Tariff law of Brazil to be made public for the information of the citizens of the United States of America.

In testimony whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this 5th day of February, 1891, and of the Independence of the United States of America the 115th.

(L.S.) BENJ. HARRISON.

By the President :

JAMES G. BLAINE, *Secretary of State.*

ACT of Congress of the United States, relating to the Treaty of Reciprocity with the Hawaiian Islands.

[Chap. 534.]

[March 3, 1891.]

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that nothing in the Act approved the 1st October, 1890, entitled "An Act to reduce the revenue and equalize duties on imports, and for other purposes," shall be held to repeal or impair the provisions of the Convention respecting commercial reciprocity concluded the 30th January, 1875,* with the King of the Hawaiian Islands, and extended by the Convention proclaimed the 9th November, 1887;† and the provisions of said Convention shall be in full force and effect as if said Act had not passed.

Approved, March 3, 1891.

ACT of the State of Kansas, in regard to Aliens, and to restrict their Rights to acquire and hold Real Estate, and to provide for the disposition of the Lands now owned by non-resident Aliens.

[March 6, 1891.]

BE it enacted by the Legislature of the State of Kansas:—

§ 1. That a non-resident alien, firm of aliens, or corporation incorporated under the laws of any foreign country, shall not be capable of acquiring title to or taking or holding any lands or real estate in this State by descent, devise, purchase, or otherwise,

* Vol. LXVI, page 112.

† Vol. LXXVIII, page 804.

except that the heirs of aliens who have heretofore acquired lands in this State under the laws thereof, and the heirs of aliens may acquire lands under the provisions of this Act, may take lands by devise or descent, and hold the same for the space of three years, and no longer, if such alien at the time of so acquiring such lands is of the age of 21 years; and if not 21 years of age, then for the term of five years from the time of so acquiring such lands; and if, at the end of the time herein limited, such lands so acquired by such alien heirs have not been sold to bona fide purchasers for value, or such alien heirs have not become actual residents of this State, the same shall revert and escheat to the State of Kansas the same as the lands of other aliens under the provisions of this Act: Provided, that minor aliens actually residing in the United States may acquire title to lands in this State by purchase, and hold the same for the term of six years after they might, under the Naturalization Laws of the United States, have declared their intentions to become citizens of the United States; and if at the expiration of said term of six years said aliens have not become citizens of the United States, the lands so acquired by them by purchase shall revert and escheat to the State, under the provisions of this Act; and it shall be the duty of the County Attorney of the county in which the said lands are situated to enforce forfeitures of all lands mentioned in this section in the same manner as pointed out in this Act for other forfeitures.

§ 2. That no corporation or association, more than 20 per cent of the stock of which is or may be owned by any person or persons not a corporation, or association, not citizens of the United States, or some District or Territory thereof, shall hereafter acquire, hold or own any real estate in the State of Kansas.

§ 3. Any alien resident of the United States who shall declare his intention of becoming a citizen of the United States in accordance with the Naturalization Laws thereof, and every alien female who shall in good faith become an actual resident of the United States, shall thereupon be authorized and enabled to take and hold lands and real estate of any kind whatsoever, to him or her and to his or her heirs and assigns for ever, and may, during six years thereafter, sell, assign, mortgage, devise, and dispose of the same in the same manner as he or she might or could do if he or she were a native born citizen of the United States: Provided that, in the case of an alien male, he shall, at the time of acquiring such lands, cause to be recorded in the office of the Register of Deeds of the county in which such lands are situated a certified copy of his said declaration to become such citizen; and in case of an alien female, an affidavit of the fact that she is in good faith an actual resident of the United States shall be so filed; but no such alien, unless

she be an actual resident of this State, shall have power to lease or devise any real estate which he or she may take or hold by virtue of this provision.

§ 4. If any alien who has declared his intention of becoming a citizen shall not become a naturalized citizen of the United States within six years after the declaration of his intention, and be living, shall not have sold said real estate to purchasers thereof for value and in good faith, such real estate acquired by him under authority of this Act shall revert to, escheat and become the property of the State of Kansas.

§ 5. Any real estate held or owned in violation of this Act shall be forfeited to the State of Kansas; and it shall be the duty of the County Attorney of any county in which such real estate is situated to enforce such forfeiture in a civil action brought in the name of the State as plaintiff, the same to be commenced, proceeded with, and disposed of in the same manner as other civil actions affecting real estate. The Court, upon the application of the Attorney and the presentation of a verified petition in proper form, shall appoint a receiver in any such action, who, upon being qualified as provided by law, shall have the usual powers of receivers in actions affecting real estate.

§ 6. If upon the final hearing of such action the Court shall find that any portion of the real estate described in the petition is held or owned in violation of this Act, the Court shall adjudge such real estate forfeited to the State; and shall order the same appraised, sold, and conveyed by the Sheriff in parcels not exceeding 160 acres each, in the same manner provided by law for the sale of real estate upon execution.

§ 7. Upon the confirmation of such sale, the proceeds thereof, together with any moneys realized therefrom by the receiver, shall be applied to the payment of the costs of such action, including such allowance to the receiver for his services as the Court shall find to be just, and an allowance of 10 per cent. of the proceeds of such sale to the County Attorney for his services; and the residue of the money so realized shall be paid to the order of such defendant or defendants as the Court shall find to have been the owner of said real estate at the time of such forfeiture: Provided that, if the residue of said money shall not be paid to the persons entitled thereto within thirty days from the date of any such judgment, the same shall be paid into the Treasury of the State of Kansas, where it shall remain subject to the order of the person or persons adjudged to be entitled thereto.

§ 8. Any alien, non-resident of the United States, who owns land in this State at the time this Act takes effect, shall have the right and power to dispose of the same during his lifetime to *bona*

fide purchasers for value, and to take security for the purchase-money, with the same right to such securities as a citizen of the United States, except that if he or his non-resident heirs again obtain title to the said lands or any sale thereof made by virtue of any judgment or decree of any Court of Law or Equity, rendered in order to enforce the payment of any part of such purchase-money, he or his non-resident heirs shall only hold the title to said lands for three years after obtaining the same; and if said lands so acquired are not sold in good faith to *bond fide* purchasers for value within said time, then the said lands shall be forfeited and escheat to the State of Kansas, in the same manner as provided in this Act.

§ 9. Nothing herein contained shall prevent the holder of any lien upon or interest in real estate heretofore acquired from holding or taking a valid title to the real estate in which he has such interest, or upon which he has such lien, or prevent any alien from enforcing any lien or judgment for any debt or liability which may hereafter be created, or which he may hereafter acquire, or which may hereafter be adjudged in his favour, or from becoming a purchaser at any sale by virtue of such lien or judgment: Provided that all lands so acquired shall be sold within three years after title shall be perfected in him under such sales, or, in default thereof, that the same shall escheat as provided in this Act: Provided further, that the provisions of this Act shall not apply to any lands which are now or may hereafter be used for the purpose of mining coal, lead, or zinc ore.

§ 10. That this Act shall take effect and be in force from and after its publication in the Statute Book.

Approved, March 6, 1891.

CORRESPONDENCE between Great Britain and the United States, respecting the United States' Copyright Act of March 3, 1891.—May–July, 1891.*

No. 4.—Mr. Lincoln to the Marquess of Salisbury.—(Received May 28.)

*Legation of the United States, London,
May 27, 1891.*

MY LORD,

I HAVE the honour, in accordance with the instructions of my Government, to transmit herewith three copies of an Act of Con-

gress, approved the 3rd March, 1891, entitled "An Act to amend Title 60, Chapter 3, of the Revised Statutes of the United States, relating to Copyrights."

Your Lordship will observe that the benefits of the Statute in question are only extended to citizens of foreign countries after a Proclamation of the President of the United States shall have been issued under conditions specified in section 13 of the Act.

I have, &c.,

The Marquess of Salisbury.

ROBERT T. LINCOLN.

(Inclosure.)—*An Act to amend Title 60, Chapter 3, of the Revised Statutes of the United States, relating to Copyrights.*

[See page 97.]

No. 6.—The Marquess of Salisbury to Mr. Lincoln.

SIR,

Foreign Office, June 16, 1891.

IN reply to your note of the 27th ultimo, in which you inform me that the benefits of the American Copyright Act, approved the 3rd March, 1891, are only extended to citizens of foreign countries by Proclamation of the President issued under the conditions specified in section 13 of the Act, I have now the honour to state to you as follows:—

Her Majesty's Government are advised that under existing English law an alien by first publication in any part of Her Majesty's dominions can obtain the benefit of English copyright, and that contemporaneous publication in a foreign country does not prevent the author from obtaining English copyright;

That residence in some part of Her Majesty's dominions is not a necessary condition to an alien obtaining copyright under the English Copyright Law; and

That the Law of Copyright in force in all British possessions permits to citizens of the United States of America the benefit of copyright on substantially the same basis as to British subjects.

I have, &c.,

Hon. R. T. Lincoln.

SALISBURY.

No. 7.—Mr. Lincoln to the Marquess of Salisbury.—(Received July 2.)

Legation of the United States, London,

MY LORD,

July 2, 1891.

WITH reference to your Lordship's note of the 16th ultimo, informing me of the status of the Law of Copyright in force in all

British possessions in respect to the acquisition of its benefits by citizens of the United States of America, I have the honour to acquaint you that I lost no time in communicating the same to my Government; and I have now the pleasure of notifying to your Lordship that on yesterday, the 1st instant, it was determined by the President of the United States, by Proclamation, that the first condition specified in section 13 of the Act of Congress, approved the 3rd March, 1891, in relation to copyright, is now fulfilled in respect to British subjects.

I will have the honour of transmitting to your Lordship a copy of the above-mentioned Proclamation as soon as it arrives by post.

I have, &c.,

The Marquess of Salisbury.

ROBERT T. LINCOLN.

No. 9.—Sir J. Pauncefote to the Marquess of Salisbury.—(Received July 15.)

MY LORD,

Washington, July 2, 1891.

WITH reference to my telegram of yesterday's date, reporting that the President had issued his Proclamation under the United States' Copyright Act, declaring in effect that the Act should apply to Great Britain and the British possessions, France, Belgium, and Switzerland, I have the honour to transmit herewith to your Lordship copies of the Proclamation in question.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE

(Inclosure.)—Proclamation by the President of the United States, respecting the Copyright Act of March 3, 1891.—Washington, July 1, 1891.

[See page 80.]

DECLARATION between Belgium and Roumania, respecting the Commercial Relations between the two Countries.—Signed at Bucharest, February 14, 1891.

LE Gouvernement de Sa Majesté le Roi des Belges et le Gouvernement de Sa Majesté le Roi de Roumanie, considérant que le Traité de Commerce conclu le 14 Aout, 1880,* entre la Belgique et la Roumanie doit, par suite de la dénonciation qui en a été faite, cesser ses effets à partir du 1^{er} Mars prochain, et reconnaissant

l'utilité qu'il y a à faire profiter le commerce réciproque des deux pays des avantages de leurs Tarifs Conventionnels respectifs, sont convenus de ce qui suit :—

A dater du 1^{er} Mars, jusqu'au ^{28 Juin}_{10 Juillet}, 1891, les produits d'origine ou de manufacture Belge qui seront importés en Roumanie, et réciproquement les produits d'origine ou de manufacture Roumaine qui seront importés en Belgique, seront respectivement soumis, dans l'un ou l'autre pays, aux droits prévus par les Tarifs Conventionnels qui résultent des Traités de Commerce en vigueur pendant la dite période.

En foi de quoi les Soussignés, dûment autorisés, ont signé la présente Déclaration et y ont apposé leurs cachets.

Fait en double original à Bucharest, le 14 Février, 1891.

(L.S.) FRÉDÉRIC HOORICKX.

(L.S.) AL. LAHOVARI.

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ACT of the British Parliament, to make provision for paying off the British portion of the Russian Dutch Loan.

[54 & 55 Vict., c. 26.]

[July 3, 1891.]

WHEREAS under Conventions made and signed at London, on the 19th day of May, 1815,* and the 16th day of November, 1831,† and confirmed by the Acts specified in the Schedule to this Act, Her Majesty's Government is liable and bound to the Government of His Imperial Majesty the Emperor of all the Russias to pay annual interest at the rate of 5 per cent., and an annual sum for a sinking fund of not less than 1 and not more than 3 per cent., in respect of a portion amounting to 25,000,000 Dutch florins (in this Act referred to as the British portion) of the Russian loan made in Holland through the intervention of the house of Hope and Company, and the payment of the said interest and sums for a sinking fund is, by the said Acts, charged on the Consolidated Fund of the United Kingdom :

And whereas by means of the sinking fund part of the British portion of the loan has been repaid, and on the 31st day of December, 1890, the residue of the British portion of the loan which remained outstanding amounted to 6,250,000 Dutch florins, equivalent at the then rate of exchange to about 516,529l. :

And whereas His said Imperial Majesty is desirous of repaying the said loan, and it is expedient that provision be made for payment to him of the residue of the British portion of the loan :

* Vol. II, page 238.

[1890-91. LXXXVII.]

† Vol. XVIII, page 928.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1.) The Treasury may borrow from the National Debt Commissioners such money as may be required for the payment of the residue of the British portion of the said loan, on such terms as to interest, sinking fund, and period of repayment (not exceeding 15 years from the date of the borrowing), as may be agreed on between the National Debt Commissioners and the Treasury, and the amount so borrowed shall be applied for the said payment.

(2.) The amount required for repayment with interest of the money so borrowed from the National Debt Commissioners shall be charged on and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(3.) The Acts mentioned in the Schedule to this Act are hereby repealed as from the date of the payment of the residue of the British portion of the said loan.

2. This Act may be cited as "The Russian Dutch Loan Act, 1891."

SCHEDULE

Acts repealed.

Session and Chapter.	Title.
55 Geo. III, c. 115*	An Act to carry into effect a Convention made between His Majesty and the King of the Netherlands and the Emperor of all the Russias.
2 & 3 Will. IV, c. 81†	An Act to enable His Majesty to carry into effect a Convention made between His said Majesty and the Emperor of all the Russias.

* Vol. II, page 439.

† Vol. XIX, page 1226.

*AWARD of the Queen of Spain, respecting the disputed Frontier between Colombia and Venezuela. — Madrid, March 16, 1891.**

(Translation.)

DON ALFONSO XIII, by the grace of God and the Constitution, King of Spain, and in his name and during his minority Doña Maria Christina, Queen-Regent of the Kingdom ;

Whereas the frontier question pending between the Republic of Colombia and the United States of Venezuela has been submitted to my Government in virtue and by the terms of the Treaty of Carácas of the 14th September, 1881,† and the Act-Declaration of Paris of the 15th February, 1886 ;‡

Actuated by the wish to justify the confidence reposed in the ancient mother-country equally by the two aforesaid Republics in submitting to her decision a matter of such importance which has at times impaired the fraternal bonds which unite them ;

Since a Technical Commission was appointed by Royal Decree of the 19th November, 1883, charged with the duty of studying in detail the question in dispute and of reporting the conclusions they might arrive at with regard to it ;

Since the High Parties interested produced at the proper time the data in support of their respective rights, and the Commission, in compliance with the instructions which were issued to it, has proceeded to a detailed examination of the said data and of the documents relating to this matter which exist in the national archives and abroad ;

Seeing by an Agreement between the High Parties interested the Award has to fix the limits which separated in the year 1810 the ancient Captain - Generalship of Venezuela, at the present moment the United States of the same name, from the Vice-Royalty of Santa Fé, at the present moment the Republic of Colombia ;

Seeing that powers were granted to the Arbitrator by the Treaty of Carácas of the 14th September, 1881, which were amplified by the Act-Declaration of Paris of the 15th February, 1886, to enable him to fix the frontier-line "as may be most in accordance with existing documents whenever any point may arise about which there is not all the clearness that is desirable ;"

Seeing that the territories in dispute form a narrow zone,

* Inserted in the "Madrid Gazette" in accordance with Article III of the Treaty of Carácas of the 14th September, 1881, which stipulates that the present Award shall take effect on its publication in the official paper.

† Vol. LXXIII, page 1107.

‡ Vol. LXXVII, page 1012.

which starts somewhat north of the 12th degree of latitude in the Peninsula of Goagira, and goes to a little more than one degree distant from the Equator to the Piedra del Cocuy, and which for the purposes of the demarcation may be divided into six sections, namely, La Goagira; the line of the Sierras of Perijá and of Montilones, San Faustino; the line of the Serranía de Tama; the line of Sarare, Arauca, and Meta; and the line of the Orinoco and Rio Negro;

Considering that as regards the first and third sections, the Royal Warrant of the 8th September, 1777, the Royal Order of the 13th August, 1790, and the deeds of delivery and demarcation of Sinamaica in 1792, all bearing upon Goagira, and the Royal Warrant of the 13th June, 1786, the Royal Order of the 29th July, 1795, and the General Law No. 1, cap. 1, Book V, of the summary of Statutes for the Indies, which all affect San Faustino, lay down clearly and precisely the limits which have to be defined by an Arbiter within the juridical powers assigned to him by the Treaty of Carácas of 1881;

Considering that, as regards the second and fourth sections, the High Contracting Parties have by common accord settled the disputed frontier, and that the intervention of an Arbiter is so far unnecessary;

Considering that the Royal Warrant, creating the command of Barinas of the 15th February, 1786, which has to serve as the legal basis for determining the frontier-line of the fifth section, gives rise to doubts owing to points now unknown being cited, such as the Bluffs of Sarare (Barrancas de Sarare) and the Royal road of the Casanares (Paso Real de los Casanares);

Considering that for this reason the Arbiter finds himself in one of the cases provided for by the Declaratory Act of Paris of 1886, according to which he has to lay down the frontier-line conformably to what he deems may best correspond with existing documents;

Considering that though, as aforesaid, the exact site of the Bluffs of the Sarare is unknown, it may by implication, and principally by the plea advanced by the United States of Venezuela, be fixed for the purpose of the Award at the "junction of the Sarare with the Arauca;"

Considering that the course of the River Arauca forms a natural border, but that, on account of the express indication of the above-quoted Royal Warrant of 1786, it is necessary to diverge therefrom in order to seek the ancient dockyard of the River Meta;

Considering that the locality of this deviation ought to be fixed at the spot, which, being approximately four days distant from the town of Barinas and the said Bluffs, as is expressly defined in this

Royal Warrant of 1786, there are good grounds for supposing it to be where the Royal road of the Casanares formerly existed ;

Considering that the point which complies with this express condition is that one on the River Arauca which is equidistant from the village of the same name and from the spot at which the meridian of the confluence of the Masparro with the Apure likewise intersects this same River Arauca ;

Considering that for greater exactness section six may be subdivided into two portions, viz., from the Meta to Maipures and from Maipures to the stone of Cocuy (Piedra del Cocuy) ;

Considering that with regard to the first of these two portions, the Royal Warrant naming Don Carlos Sucre y Pardo, Governor of Cumaná, his despatch of the 30th April, 1735 ; the Memorial to His Majesty from Don Gregorio Espinosa de los Monteros, also Governor of the said province, dated the 30th September, 1743 ; the maps, returns of population, and official correspondence of the Commander of the new districts, Don Manuel Centurion ; the report of P. Manuel Román, the Head of the Jesuit Missions on the Orinoco, dated the 3rd December, 1749 ; the definition of the territory of the Lieutenancy of the Guayana in 1761 by Don José Diguja y Villagómez, also Governor of Cumaná, the latter's despatch dated the 10th July, 1761, the draft report on the boundary of the Guayana in 1760 by Don Eugenio Alvarado, the Second Commissioner of the expedition of Iturriaga ; the report of Don José Solano, Governor of Carácas of the 11th May, 1762 ; the maps and geographical plans of the Vice-Royalty of Santa Fé by Don José Antonio Perelló, Don Luis Surville, Don Antonio de la Torre, and that of Don Francisco Requeña of the year 1796, and the more recent ones of Codazzi and Ponce de León, and, lastly, the description of the journey made by Don Antonio de la Torre during the years 1782 and 1783 by order and at the expense of the Archbishop and Viceroy of Santa Fé, all these clearly fix the line of frontier as far as the law is concerned ;

Considering that the point of departure and the legal basis for determining the frontier-line of the second portion of the sixth section is the Royal Warrant of the 5th May, 1768, about the meaning of which there is a difference of opinion between the High Contracting Parties ;

Considering that the terms of the afore-mentioned Royal Warrant are not so clear and precise as they ought to be in such a document in order to be able to base a legal decision exclusively upon it ;

Considering, therefore, that the Arbiter is thus confronted by the case provided for by the Declaratory Act of Paris above mentioned ;

Considering that the United States of Venezuela are in *bond fide*

possession of the territories to the west of the Orinoco, Casiquiare, and Rio Negro Rivers, which form the boundaries assigned on this side to the Province of Guayana, in the above-mentioned Royal Warrant of 1768 ;

Considering that Venezuelan interests are largely represented in the aforesaid territories, encouraged by the confident belief that they were established in the dominions of the United States of Venezuela ;

And considering, lastly, that the Rivers Atabapo and Negro trace a clear, definite, and natural frontier, with only one break of a few kilometres from Yávita to Pimichin, thus respecting the boundaries of these two villages ;

In accord with my Council of Ministers, and having heard the opinion of my Council of State, I declare that the disputed frontier-line between the Republic of Colombia and the United States of Venezuela shall be settled as follows :—

Section 1.—From the Mogotes, called the Frailes, taking as the point of departure the point nearest to Juyachi, and following in a straight line the line which divides the Valley of Upar from the Province of Maracaibo and the River Hacha, by the crest of the Mountains of Oca, taking as precise boundaries the summits of the said mountains, along the side of the Valley of Upar and the Mogote of Juyachi, and along the verge of the Serrania and the sea-shore.

Section 2.—From the line which separates the Valley of Upar from the Province of Maracaibo and the River Hacha, along the crest of the Sierras of Perijaa and Motilones to the source of the River Oro ; and from this point to where the Grita falls into the Zulia, along the line of the *statu quo*, which crosses the Rivers Catalumbo, Sardinata, and Tarra.

Section 3.—From the junction of the River Grita with the Zulia, along the curve at present recognized as the frontier to the "Quebrada" (Ravine) of Don Pedro, and following this down to the River Tachira.

Section 4.—From where the Ravine of Don Pedro strikes the River Tachira, up the said stream to its source, and from there by the Serrania and Páramo de Tama as far as the banks of the River Oira.

Section 5.—Following the course of the River Oira as far as its confluence with the Sarare, following the waters of the latter (crossing the middle of the Lake of Desparramadero) to the point at which they fall into the River Arauca, pursuing the downward course of the latter, to a point equidistant from the town of Arauca and from that at which the meridian of the confluence of the Masparro and of the Apure also intersects the River Arauca ; thence in a direct line

to the Apostadero del Meta, and along this river till it falls into the Orinoco.

Section 6: Part 1.—From the junction of the River Mata with the Orinoco, along the “thalweg” (“vaguada”) of this river as far as the stream of Maipures. But considering that since the foundation of Atures its inhabitants have, so as to avoid the torrents between the aforesaid village of Atures and the wharf situated to the south of Maipures, been making use of a road on the left bank of the Orinoco, facing the hill of Macuriana, and in a direction to the north of the mouth of the Vichada, the right of way over the said road is expressly conceded in favour of the United States of Venezuela, on the understanding that said right shall cease 25 years after the publication of the present Award, or whenever a road may be made through Venezuelan territory which would render the use of the Colombian one unnecessary, faculty being in the meanwhile reserved to the two parties to regulate by common accord the exercise of the right of way in question.

Part 2.—From the stream of Maipures, along the “thalweg” (“vaguada”) of the Orinoco to its confluence with the Guaviare, following the course of the latter till joined by the Atabapo; up the Atabapo to a point 36 kilom. to the north of the village of Yavita, a straight line being drawn thence to strike the River Guaynia, 36 kilom. to the west of the village of Pimichin, and along the Guaynia, which takes further on the name of Rio Negro, to the Stone (Piedra) of Cocuy.

Given in duplicate at the Royal Palace of Madrid, the 16th day of March, 1891.

MARIA CRISTINA.

CARLOS O'DONELL, *Minister of State.*

PORTUGUESE DECREE of February 11, 1891, granting a Charter to the Mozambique Company, as modified by the Decree of July 30, 1891.

(Translation.)

IN view of the Report of the Minister and Secretary of State of the Department of Marine and Colonies;

With the advice of the Council of Ministers, and of the Consultative Board for the Colonies;

Availing myself of the powers conferred upon me in the 15th

Article of the Additional Act to the Constitutional Charter of the Monarchy :

I hereby decree :—

ART. I. The Government grant to the Mozambique Company, formed in accordance with the Deed of Agreement of the 8th March, 1888, the administration and exploration, under the conditions set forth in this Decree, of the territories of the Province of Mozambique, bounded on the north and on the north-west by the course of the River Zambezi, from its southernmost mouth, and by the actual boundary-line of the district of Tété; on the west by the internal frontier of the province; on the south by the course of the River Save as far as its southernmost bar; on the east by the ocean.

§. This Concession shall not come into operation until the Company shall have increased its capital and modified its Statutes in conformity with the provisions of this Decree.

2. Within the area defined in the foregoing Article the Government alone, either directly or by means of the Company, shall be at liberty to make any Treaties, Conventions, or Contracts with the native Chiefs or tribes, whenever the principal object in view is to regulate or establish relations of a political nature. The Company, however, shall alone be at liberty to make Contracts, Conventions, or Treaties with the said Chiefs and tribes with respect to territorial, mining, and agricultural concessions, or for the construction of railways, roads, canals, telegraphs, and other works of public utility.

§ 1. The Contracts, Treaties, and Concessions entered into or made between the Company and the native Chiefs and tribes shall only come into force after they have been sanctioned by the Government, who may insert therein any conditions or restrictions they may deem expedient.

§ 2. The Company is bound to comply with each and all of the stipulations set forth in those Treaties, Contracts, and Conventions, and also to respect any Treaties that may have been concluded by the Government at the date of this Decree.

3. Should, at any time, a conflict or dispute arise between the Company and the Chiefs and tribes residing within the territories of this Concession, the matter must be referred to the decision of the Government, to which decision the Company must submit.

4. The Company is bound to comply strictly and faithfully with the clauses and conditions of any Treaties, Conventions, or Agreements which the Government may have already or may hereafter conclude with any foreign State or Power.

5. Should the Government at any time disapprove of the relations between the Company and any foreign State or Power, the

Company shall be bound to abstain from the acts thus disapproved, and to adhere to the instructions issued to it by the authorities.

6. The Company, in order to be able to discharge the powers and functions conferred upon it in virtue of this Decree, shall organize and maintain a police force for service afloat and on land, but the plan of organization and the regulations of the service of such force must be submitted beforehand to the approval of the Government.

§. The Customs service throughout the whole of the territory which forms the subject of this Concession, and on its land frontier as well as on the sea-coast, shall be intrusted to the said police force, inasmuch as the Company is bound to undertake the service referred to.

7. The Government, after consulting the Company, shall enact the judicial régime for the territories comprised in this Concession; the several Magistrates and judicial officials being appointed by the Crown, and paid by the State.

8. The Company shall provide the necessary means of education for the inhabitants of the territories administered by it, by establishing and paying for the Missions, schools of primary instruction, and of trades and professions, in accordance with a plan agreed upon between it and the Government.

9. The Company shall submit to the approval of the Government the Regulations relative to the trade in alcohol and other inebriating drinks, as well as to arms and gunpowder, which Regulations must be drawn up in harmony with any Treaties or Conventions which are already or may hereafter come into force.

10. The Company is bound, during the first five years reckoning from the date of its formation in accordance with this Decree, to settle within its territory, at such places as may be selected for the purpose, with the assent of the Government, a thousand families of Portuguese colonists or of Portuguese descendants that may be conveyed by the Government for that purpose to any port comprised within the area of this Concession.

Each of these families shall receive from the Company a dwelling-house, plots of ground for cultivation, and agricultural implements, the total cost of which is to be reimbursed in annuities at long periods, which shall not, however go beyond the period of the Concession granted in this Article.

The other conditions of this colonization shall be laid down in special Regulations, which will have to be submitted by the Company to the sanction of the Government.

11. Whenever the Government shall disapprove of the system and administrative proceedings of the Company towards the inhabitants of its territory, the Company shall be bound to submit to such

disapproval, and to obey the instructions that may be given to it by the authorities.

§. The Government reserve unto themselves the right to interfere, whenever they may deem it to be absolutely requisite for the safety of the Portuguese dominion, or for the preservation of the public peace, in any conflicts of a political nature which may arise between the native Chiefs and tribes in the territories comprised in this Concession.

12. The ships belonging to the State shall always be allowed to enter freely any ports under the administration of the Company, and shall not be liable to any charges other than the payment of any expenses incurred by such ships on account of any work on board, of any services rendered, or of any supplies of articles or stores.

13. The right accorded to the Company to maintain a police force both on shore and on the coast shall not in any way prevent the Government from taking action for the defence of the territories belonging to the nation.

14. The Government reserve their right in full of stationing military forces at any point on the frontiers of the territories of this Concession as they may deem proper to guard; and the Company shall not offer any opposition to the stationing of the forces of the State in those territories, or to their transit through the same.

In the event of internal or external hostilities within the area defined in Article 1 of this Decree, or on its frontiers, the Company shall place at the disposal of the Government the provisions, ammunition, armament, and military stores in its possession, as well as any means of transport by land, by river, or by sea; and the Government shall only pay for the cost of supplies consumed or destroyed in their service, and for the cost of transport. In which event, the whole police force of the Company, as well as any force recruited by it, shall also remain at the orders of the Government, who shall only pay the Company any excess of expenditure incurred in raising and maintaining the said forces.

The troops, officers on duty, and military stores belonging to the State shall, in time of peace, be conveyed by the Company's railways or vessels with a reduction of 75 per cent. on the price charged in the general tariff rates.

The Company shall furnish the Government gratis with the ground they may require for fortifications, military stations, or barracks, for the residences of the judicial, ecclesiastical, and other officials, and also for any establishments of public utility.

15. The Company shall be held to be a Portuguese Company for all intents and purposes, and its seat and principal offices shall be at Lisbon.

The majorities in its administrative bodies shall always be com-

posed of Portuguese citizens domiciled in Portugal ; but the actual Managers who are foreign subjects, provided they shall have resided for more than twenty-five years in Portugal, may be reckoned in the said majorities.

The principal Manager of the Company at Lisbon and its chief representative in Africa must also be Portuguese ; the former's domicile must be in the continental part of the kingdom, and the latter's in the territories comprised in this Concession.

§. The Government reserve the right to appoint, within ten years, three Managers of the Company, selecting them from among the actual Managers.

16. The Company is at liberty to establish in foreign countries delegate agencies, consisting of Managers residing out of Portugal, should the amount of capital subscribed in those countries justify the establishment of the same.

17. The Government will appoint a Royal Commissioner who shall attend the meetings of the administrative and fiscal bodies of the Company, with only a consultative vote ; he will take part in the several acts of administration, or else they must be at once notified to him.

§. The Government reserve the right to appoint officials for the civil and financial administration of the territory of the Company, by which the expenditure incurred thereby will have to be defrayed, the amount of which expenditure will be paid annually to the Government by the Company. The officials in each of the districts to be formed with the assent of the Company will be : a Superintendent, a Financial Sub-Delegate, and a clerk, whose functions, especially those of a fiscal nature, will be determined by the Government in accordance with the Company's Regulations. There shall not be more than three districts, and the salaries of the Superintendents shall not be higher than those at present paid to the Superintendents at Bandire, Inhaxo, and Manica.

18. The Company's officials who may discharge any administrative or fiscal functions, as well as the Commanding Officers of the sea or land police forces, shall, as a rule, be Portuguese subjects ; and in the event of their being, exceptionally, foreigners, they shall, as regards any acts performed in the discharge of their functions, be subject to the Portuguese laws, authorities, and Courts of Justice, and for the purpose of making good that subjection, they must take the engagement of renouncing the special *forum* or jurisdiction which they may be entitled to claim.

19. The Company engages to construct and to work during the period of the Concession, without any subvention or guarantee on the part of the State, a railway, with steel rails with a minimum weight of 20 kilog. per current metre, in order to connect Pungwe

Bay with the inner boundary of the district of Manica, passing through Massikessi. The construction must be finished within the precise term of four years counting from the date when the Government shall order it to be commenced, without which order it cannot be commenced.

§ 1. The general or special kilometrical tariff rates of freight on this railway shall be the same for all parties, and they are not to exceed, without the consent of the Government, those charged in the Cape Colony railways.

§ 2. The Company is not at liberty to transfer to any one the construction and working of this line of railway.

20. The Company also engages to construct, in addition to the telegraphic lines on the railways, another telegraphic line to connect Pungwe Bay with the right bank of the Zambezi.

§. The Company is bound to construct gratis the road as well as the other works referred to in Article XIV of the Treaty of the 28th May last.*

21. The Government make the undermentioned concessions to the Company :—

(1.) The exclusive right to construct and work, within the territories defined in Article 1, any roads, railways, canals, ports on the sea-coast, or internal quays, docks, bridges, telegraph lines, works of irrigation, as well as other works of public or private utility ; but the Company shall not have the right to establish any differential tariffs as regards any works or explorations of public utility.

(2.) The right of navigation of the rivers in accordance with Article XII of the Treaty of the 28th May last.* The Company shall allow and facilitate the transit of passengers and merchandize of any kind through the Pungwe, the Busi, the Save, and their tributary rivers, as well as by the roads serving as means of communication where the rivers may not be navigable.

(3.) The exclusive right to exercise and to permit any mining industries throughout the whole area of the Concession.

(4.) The exclusive right to the coral, pearl, and sponge fisheries on the coast of the Company's territories.

(5.) The exclusive right to hunt elephants, either directly or by means of permits.

(6.) The right to issue shares, to increase its capital in shares, to obtain money by means of debentures, and to establish Banking Companies in the territories of this Concession. The capital in debentures is always to be guaranteed by works, constructions, or by the ownership of land. The said Banking Companies shall not

* *See. Qy.*, June 11, 1891. See page 27.

issue notes or cheques payable at sight so long as the privilege granted to the " Banco Nacional Ultramarino " in Article 3 of the Law of the 14th May, 1864, and extended in Article 3 of the Law of the 27th January, 1876, shall continue in force. As soon as that privilege shall expire, they will be at liberty to issue the same with the previous sanction of the Government.

(7.) The dominion during the period of this Concession of the whole of the lands comprised within the area of the same that may belong to the State, with the exception of the " Prazos da Corôa " (Crown estates), as well as the right of acquiring any lands and of keeping possession of any lands acquired by any lawful means both within and out of the said area.

(8.) The right to acquire and to own in legal form, both in Mozambique and in any other transmarine provinces, the ground it may require for the Company's offices, warehouses, depôts, and other dependencies.

(9.) The right to administer and to explore, in accordance with the laws in force, in so far as they may not be contrary to the clauses of this Decree, the Crown estates comprised within the area of this Concession, as well as the right to recover, in accordance with these laws, the tax named " mussoco " from the inhabitants, with due respect, however, to the rights of the actual tenants.

(10.) The right to recover the taxes on permits for the entry, exit, and transit of merchandize in the territories comprised in this Concession ; the said taxes are, however, to be equal for all parties, and they shall not be either higher or lower, without the consent of the Government, than the customs dues levied in the districts of Inhambane and Quilimane ; and, moreover, the said taxes are to be levied on such a scale as will secure for national or nationalized articles of merchandize the same proportional advantages accorded to the same in those districts, provided such a course is not precluded by reason of any International Conventions.

§ 1. The transit of merchandize through the territories of this Concession shall be subject to regulations drawn up by the Government, after consultation with the Company, which Regulations are intended to prevent smuggling to the detriment of the State.

§ 2. The products of the Company's territories and exported therefrom will be taxed in the custom-houses of Portugal and of the transmarine provinces at the same rates as any products of Mozambique exported from that province, or as those coming under the most-favoured-nation treatment in virtue of any Customs or Navigation Laws.

§ 3. In the event of any articles of merchandize which are not produced either in the transmarine provinces or in the mother-country being exported from the territories comprised within this

Concession, either to the mother-country or to other places in the said transmarine provinces, the import duties on such articles at the custom-houses in this kingdom and in the Colonies shall not be higher than those which they would have to pay in the said custom-houses had they come from any foreign country, and, moreover, they will be granted a reduction of 50 per cent.

§ 4. The provisions set forth in the foregoing paragraphs, as far as regards the custom-houses of this country, will remain subject to the approval of the Legislature should the Company wish to avail itself of the benefit accorded therein.

(11.) The right to colonize the whole of the territories comprised within this Concession, and to form towns therein, and also to grub up, plant, cultivate, irrigate, and, in general, to improve and explore the country.

(12.) The right to carry on any branch of trade or industry not prohibited by law.

(13.) The right to levy taxes, either in money or in labour, for any works of public utility; nevertheless, the assessment of those taxes, and the method of levying and recovering the same, shall be subject to the consent of the Government.

(14.) The right, in general, to perform any lawful acts that may be necessary for the exercise and fruition of the rights and interests granted and secured by this Decree.

22. The Company is bound to hoist and make use throughout the whole of the territories comprised in this Concession, as well as in its buildings and vessels, the Portuguese flag, to which it is, however, at liberty to add some special distinguishing sign.

23. The Company can transfer the dominion of the free territories accorded to it in No. 7 of Article 21, which territories, in order that the dominion over them may become perpetual, must remain subject to the payment of an annual ground-rent ("fôro ou canon") of not less than 10 reis (0.53*d.*) per hectare (2.471 acres), to be received by the Company during the period of the Concession, and to be recovered after the expiration of the same by the Government. The transfer of the Company's rights over more than 5,000 hectares (12,355 acres) of contiguous territory to one individual or Company must be sanctioned by the Government.

The Company shall respect any private property lying within the area of this Concession, as well as any property of any Municipality, or of other administrative bodies at present in existence, and will allow the natives to keep the lands required for the cultivation of articles of food for their subsistence.

The unowned lands comprised within an area of 5 kilom. (3.105 miles) in width around the existing towns are to be equally divided between the State and the Company.

§. The buildings and lands adhering thereto ("inherentes") shall continue to be the property of the State, which will have the right to transfer them, or to lease them to the Company by special contract.

24. The exercise of the exclusive rights of the pearl and coral fisheries, and of hunting elephants, as well as the exploration of woods and forests, shall be subject to special Regulations approved by the Government, the object of such Regulations being to prevent the destruction of those sources of revenue.

25. The Company will have the right to lease, or to, partly, transfer, in any manner recognized by law, to any individuals, partnerships, Societies, or Companies, the agricultural, mining, commercial, or industrial Concessions made to it in Article 21, and those individuals, partnerships, Societies, or Companies will be subject to the taxes and imposts referred to in Nos. 10 to 14 of the aforesaid Article.

§ 1. Whenever the Company may wish to transfer in full any of the rights conferred upon it in virtue of Article 21 to any other Company, individual, or undertaking, such transfer will be dependent upon the approval of the Government.

§ 2. These transfers will be considered as approved in the event of the Government, within twenty days, reckoning from the date of the presentation of these deeds of transfer at the Department of Marine and Colonies, not adopting any decision upon the matter.

26. Any partnerships, Societies, Companies, or individuals working any Concessions of the Mozambique Company, of whatever nature they may be, shall explicitly bind themselves to submit to the Portuguese laws and authorities, and to submit to the decision of the Portuguese Courts of Justice any disputes and law-suits that may arise between them and the Government, the Company holding the original Concession, or other sub-concessionnaires.

27. The Company is expressly forbidden to transfer, either for ever or provisionally, wholly or partly, to any foreign Government or Power, any of the rights conferred upon it in virtue of this Decree. It is also forbidden to transfer, either wholly or partly, to any other Company any of its political, administrative, or fiscal rights.

28. The Company, in spite of any Concessions, sub-Concessions, or Contracts, of whatever nature they may be, entered into with any third parties, shall always be responsible to the Government as regards the strict compliance with the clauses of this Decree, and with the Contracts arising therefrom.

29. At the end of twenty-five years, reckoning from the date of the definitive Contract to be made with the Company in virtue of this Decree, and, subsequently, at the end of each period of ten years,

the Government shall be at liberty to add to, modify, or revoke any one or more of the provisions contained in that Contract, or to enact any new clauses in substitution for or in amplification of the former clauses, on the understanding that the power thus reserved on the part of the Government shall only be carried out as regards such provisions and clauses as have reference to the concession of any exclusive rights, to the Company's dominion over territories, and to the attributes of the State delegated by the Government.

§ 1. Within the said periods of time, the Government will be at liberty to acquire—on giving compensation for the same—the Company's buildings which are to be exclusively or chiefly used as public offices for the discharge of the public business transferred from the Company to the State, and likewise any property, constructions, and works of public interest susceptible of yielding revenue, such as railways, canals, interior ports, quays, docks, telegraphs, irrigation works, houses and the like.

The amount of compensation to be paid for the buildings intended for public offices shall be the capital which will, at the rate of 5 per cent. per annum, produce an annual rent equal to the average net receipts derived by the Company from the said property and constructions during the three previous years, which capital may be paid either at once or in annual instalments, also with 5 per cent. interest, at the choice of the Government.

Should, however, the basis on which this redemption is calculated appear to be detrimental to the Government or to the Company owing to the state of deterioration of the constructions, to the fact of their not having yet attained the period for yielding a larger revenue or to any other motive, the amount of compensation to be paid may be settled by agreement or by Arbiters, as well as the compensation due for any buildings intended for public offices.

It is understood that, for the purpose of calculating the amount of compensation, the quotas belonging to the State in accordance with Article 30, the percentage intended for a reserve fund levied on those quotas, and the items representing the benefit derived from the exemption from payment of taxes, are not included in the net receipts derived from that property and constructions.

§ 2. Should the amount of compensation have to be settled by Arbiters, and should their votes be equally divided, an Umpire, to be named by the Supreme Court of Justice in the event of their not agreeing to select one themselves, will decide the matter.

§ 3. Should the Government make up their mind to acquire the whole of the constructions and property of the Company susceptible of yielding revenue, they are bound to purchase also the buildings intended for public offices.

§ 4. The Concession made to the Company as regards mines will

last for an indefinite period, in accordance with common law, with reference, however, to such mines as may be worked, and during the working of the same.

30. The Government will abstain during twenty-five years from levying any direct or indirect taxes in the territories comprised in this Concession; they shall, however, receive an annual percentage of 7 per cent. from the total net profits of the Company, but the proceeds of the said percentage shall not be less than the total sum of the various receipts of any kind, free from the cost of recovery, accruing to the State from the aforesaid territories for the financial year of 1889-90.

§. The percentage laid down in this Article will be increased to 10 per cent. should the dividend on the shares of the Company, as calculated on the capital really subscribed, amount to 10 per cent. or more.

31. The capital of the Company will be 4,500,000 milreis (1,000,000*l.*), divided in shares of 1*l.*, or 4\$500 reis each.

32. The Company shall be a Joint Stock Limited Liability Company as laid down in its Statutes, which will be subject to the approval of the Government in consultation with the Attorney-General to the Crown and Treasury.

33. The Company shall submit to the Government, for their approval, any Regulations of public interest which, in addition to those expressly mentioned in this Decree, it may require to issue in the regular discharge of its administrative functions.

§. Any Regulations with regard to which the Government shall not have taken a decision within the term of four months from the date of the presentation of the same to the Department for the Colonies are to be considered as approved.

34. Within the territories comprised in this Concession, it is lawful for any one to exercise any trade, industry, or profession, provided it is not one of which the monopoly is explicitly reserved in favour of the Company.

§. The Company shall be at liberty to recover taxes for licences from shops for the sale of articles in accordance with No. 9 of Article 21, provided these shops are not situated within Municipal territory.

35. The Municipal organization shall continue in force in those districts, within the territories comprised in this Concession, in which it now exists, and the same must also be established everywhere where there shall happen to be more than 500 hearths ("fógos"), provided there are at least 100 hearths belonging to families of Portuguese, European, or Indian race.

36. The Company is bound to respect within the territories comprised in this Concession, and in its intercourse with the

respective inhabitants, any religions or modes of worship, as well as any usages or customs of the natives unless they are contrary to humanity and civilization.

37. The provisions contained in this Decree, as well as the Concessions made therein, shall in no way affect any acquired rights or any other Concessions made up to the date thereof by the Portuguese Government, provided the same shall not have already become null and void.

38. Should the Company fail to comply with the stipulations contained in this Decree, to discharge the public functions committed to it, and to respect and comply with the Treaties, Conventions, or Contracts with any foreign Powers, and with the Chiefs of the native tribes; should it abandon the agricultural, mining, commercial, and industrial exploration of the territories comprised in this Concession, the Government shall have the right to rescind the Contract made with the Company, after intimation shall have been given of their decision, without the Company being entitled to claim any compensation.

39. Any differences that may arise between the Government and the Company as regards the interpretation, execution, and rescission of the Contract shall be referred to a Court of Arbitration, which is to consist of two Arbiters named by the Government, of two named by the Company, and of a fifth Arbiter selected by agreement between them, and, failing such agreement, by the Supreme Court of Justice.

The Court of Arbitration shall give its decision *ex æquo et bono*, and its decisions will be final and without appeal.

40. The period of four months from the date of this Decree, fixed within which the Company must have fulfilled the conditions set forth in the paragraph of Article 1 increasing its capital and modifying its Statutes according to law. Should it fail to comply with these conditions within the period laid down, which cannot be prorogued, the whole of the provisions contained in this Decree will remain without effect.

41. The Government shall draw up the necessary Regulations for the carrying into effect of this Decree.

42. Any Laws contrary thereto are hereby revoked.

The said Minister and Secretary of State shall accordingly carry this Decree into effect.

Given at the Palace on the 11th February, 1891.

THE KING

ANTONIO JOZÉ ENNES.

CORRESPONDENCE between Great Britain and France, respecting the Newfoundland Fisheries.—1890, 1891.

[Continued from Vol. LXXXII, pages 993 to 1002.]

No. 1.—*The Earl of Lytton to the Marquess of Salisbury.*—(Received June 6.)

MY LORD,

Paris, June 5, 1890.

M. RIBOT repeated to me yesterday that he had no recent information from Newfoundland.

He expressed confidence in the possibility of arriving at a final settlement of the Fishery question on terms satisfactory to England and France, but said that France could not take the initiative in making proposals for such settlement, nor expect Her Majesty's Government to do so until after consultation with the Representatives of the Newfoundland Government, who, he understood, had not yet arrived in England.

I have, &c.,

The Marquess of Salisbury.

LYTTON.

No. 22.—*The Marquess of Salisbury to the Earl of Lytton.*

MY LORD,

Foreign Office, September 24, 1890.

In your Excellency's despatch of the 5th June last you reported that M. Ribot had expressed to you in conversation his confidence in the possibility of arriving at a final settlement of the Newfoundland Fishery question on terms satisfactory to England and France. His Excellency observed, however, that France could not take the initiative in making proposals for such settlement, nor expect Her Majesty's Government to do so until after consultation with the Representatives of Newfoundland who were expected in this country.

Since the date of your despatch Sir W. Whiteway, the Prime Minister of Newfoundland, and other Delegates from the Colony, have arrived in England. They have had repeated conferences with the Secretary of State for the Colonies, and Her Majesty's Government have received from them full information as to the wishes and feeling of the population in regard to this question, which is of vital importance to the Colony. I am, consequently, now enabled to give you instructions for entering upon the subject with the French Minister for Foreign Affairs at the earliest convenient opportunity.

The question, as you are aware, is one of great complexity, and

has been debated between the two Governments for many years without any solution having been arrived at.

The main points now in controversy between the two countries, as to the meaning of the international engagements which secure to the French rights of fishery on a portion of the shore of Newfoundland, appear to be the following:—

1. Whether Great Britain, in virtue of her sovereignty over Newfoundland, possesses on that part of the coast rights of fishery concurrent with those of France and equal to them; or only rights which must be so exercised as not to disturb the fishery of France; or no rights of fishery at all.

2. Whether Great Britain, by granting to France the right of drying fish and cutting wood along this part of the shore, and by promising the removal of “*établissements sédentaires*,” has engaged to prohibit her subjects from erecting any kind of building on that part of the shore, or only those buildings which are concerned with the fishery; and, if so, whether lobster factories are included in the prohibition.

3. To what depth inland do the prohibitions against building on the part of British subjects, whatever they may be, extend?

4. Do the words “*permis de pêcher et de sécher le poisson*” apply to all kinds of animals found in the sea; if not, to which kinds is the application limited?

5. Do the Treaties, by prohibiting French subjects from any construction on the shore beyond “*échafauds et cabanes nécessaires et usités pour sécher le poisson*,” prohibit them from erecting removable lobster factories?

There are, in addition to these, other questions of a less important character, which probably would not give much trouble if these primary questions were settled.

The temporary arrangement which was agreed upon between the two Governments for the regulation of this last question during the present fishing season appears to have worked satisfactorily upon the whole. Her Majesty's Government gladly acknowledge that this result has been largely due to the conciliatory instructions issued to the French Naval Commander, and to the friendly and considerate manner in which he has acted upon them.

But the arrangement, as you are aware, has been most unfavourably regarded in the Colony, where it has given rise to much agitation and excitement, and the British Naval Commander has met with considerable opposition in carrying it into effect, and his action has been made the subject of legal proceedings in the Colony.

It is scarcely, therefore, to be hoped that this *modus vivendi*, which was, in fact, merely a temporary compromise pending attempts

for a more permanent solution, could be indefinitely prolonged with advantage and convenience.

All the points of difference which I have enumerated above have been argued at great length, without either party having succeeded in producing conviction on the part of the other. Arbitration appears now to be the only method to which resort can be had, if a plain and authoritative definition is required of the extent and nature of the rights secured to France by the Treaties; and with respect at least to some of these we have received the assurance that the French Government is not unwilling to have recourse to this method of adjustment.

But Her Majesty's Government find, from the language of Sir William Whiteway and other Representatives of the Colony, that the wishes of the colonists are centred on the attainment of some arrangement for the termination of French rights upon their coast, and that they do not consider that arbitration, unless, indeed, it should form an accessory part of such an arrangement, would furnish such a solution as they desire.

They point out that even if the decision be given in the sense most favourable to Newfoundland, the curtailment of their powers of self-government involved in the existence of any French rights must still be a very serious impediment to the free development of the resources and industry of the Colony, and that, while the concession of rights to French fishermen was not incompatible with the circumstances of the time when it was made, when the coast in question was almost uninhabited, and when both the Contracting Parties looked upon Newfoundland mainly as a fishing ground for their respective seamen, it is not an arrangement which can be enforced without great inconvenience and suffering on a growing Colony, with the regular organization and institutions of present civil life. As the population on the coast increases the evil is naturally intensified, and threatens to lead to most serious consequences unless some complete remedy is applied. The method of fishery has materially altered since the Treaties were concluded, and owing to this change, to improved means of communication, and to the development of the Islands of St. Pierre and Miquelon as a base for the French fishing operations, the use of the shore has ceased to be of great advantage to France, and the convenience to the French fishing industry is now extremely small in proportion to the injury which the Colony suffers from the restrictions imposed on the inhabitants. In proof of this, it is stated that out of some 800 French vessels with crews of over 9,000 men employed in the fishery, almost the whole resort to the banks, and that not more than 16, or, according to some accounts, only 7 or 8 vessels pursue the fishery on the coast of Newfoundland; the capital invested in

this portion of the French fishery being estimated at less than 40,000*l*. The private interests actually involved are not, therefore, very important, even if the value of the six or seven French lobster factories erected on the shore, the legality of which Her Majesty's Government have always contested, were added to this amount.

In exchange for the withdrawal of the French rights on the coast, the Colony is willing to offer full facilities for the purchase of bait, which is stated by French no less than by British authorities to be a matter of prime necessity, and is certainly of the greatest convenience to the French fishing-boats in enabling them to get early to the banks. Or, if preferred, the colonists would be prepared to make a reasonable money payment in consideration of the value of the advantages surrendered, and for compensation of the interests affected.

The Representatives of the Colony are convinced that an arrangement of this character would be highly profitable to France, and are anxious that no time should be lost in submitting it to the consideration of the French Government.

I request that your Excellency will give a copy of this despatch to M. Ribot, and in doing so will assure him that it would be a matter of cordial satisfaction to Her Majesty's Government if your overtures met with a favourable response. The question in its present condition is a source of constant anxiety to the two Governments, and there is little ground for hoping that, as time goes on, this state of affairs will improve. Indeed, from the reasons which I have given above, the difficulties with which the matter is surrounded tend rather to aggravate than diminish. Even if the Treaties could be relieved from the obscurity of language which threatens to create so much perilous dispute between the two nations, the continued existence thereunder of any foreign rights must in any case remain burdensome to the colonists in a degree wholly out of proportion to the benefits which they secure to France. Her Majesty's Government are anxious scrupulously to fulfil their Treaty obligations towards France, but the necessity of enforcing them to the detriment of the Colony cannot be otherwise than unwelcome to them, as they believe it must be to the French Government. It would be greatly to the advantage of both countries if any reasonable arrangement could be arrived at for replacing existing engagements by others which would not be open to the same objections.

I am, &c.,

The Earl of Lytton.

SALISBURY.

*No. 25.—The Earl of Lytton to the Marquess of Salisbury.—
(Received October 31.)*

MY LORD,

Paris, October 30, 1890.

M. RIBOT yesterday placed in my hands the reply of the French Government to the proposals contained in your Lordship's despatch of the 24th September last, which I communicated to his Excellency on the following day, as reported in my despatch of the 26th September, for a final settlement of all questions relating to British and French fishery rights in Newfoundland.

In this document, of which I have the honour to inclose a copy, M. Ribot states that the Government of the Republic is unable to entertain the proposals urged on its acceptance in your Lordship's above-mentioned despatch, but that it is quite willing to come to some agreement with the Government of Her Majesty for a final settlement of these fishery questions, on the basis either of arbitration or of arrangements analogous in principle to those of the proposed Treaty of 1885.*

I have, &c.,

The Marquess of Salisbury.

LYTTON.

(Inclosure.)—M. Ribot to the Earl of Lytton.

M. L'AMBASSADEUR.

Paris, le 29 Octobre, 1890.

VOTRE Excellence a bien voulu me communiquer une dépêche de Lord Salisbury du 24 Septembre dernier, ayant pour objet de saisir le Gouvernement de la République de propositions tendant à arriver à un règlement définitif de la question des pêcheries de Terre-Neuve.

Ainsi que le remarque sa Seigneurie, la question est complexe et débattue entre les deux Gouvernements depuis de longues années, et sans que je croie devoir reprendre ici les points énumérés dans la dépêche de Lord Salisbury comme pouvant se trouver en discussion, il est certain que le désir des deux Gouvernements a toujours été d'éviter que les divergences existant dans leur manière de voir respective dégénérassent en difficultés plus graves.

Ces sentiments de conciliation se sont, à diverses reprises, manifestés par des actes; sans remonter bien loin dans le passé, c'est ainsi qu'en 1885, le Gouvernement de la République et celui de Sa Majesté ont pu jeter les bases d'une entente également honorable et satisfaisante pour les intérêts des deux parties; c'est ainsi que, l'année dernière, les deux Gouvernements sont tombés d'accord pour déterminer les conditions d'un *modus vivendi*, dont la mise en pratique,

* Vol. LXXVI, page 1083.

ainsi que le constate sa Seigneurie, a donné, dans l'ensemble, des résultats satisfaisants. C'est ainsi encore que les instructions remises chaque année aux Commandants des deux croisières et la façon dont elles sont comprises et appliquées ont toujours écarté les appréhensions que l'excitation des intérêts particuliers aurait pu faire naître.

Lord Salisbury veut bien rappeler dans sa dépêche que les deux Gouvernements, poursuivant cette œuvre d'apaisement, avaient envisagé avec une mutuelle confiance l'éventualité d'un recours à l'intervention d'un Arbitre. Mais le Premier Ministre, tout en reconnaissant les avantages de cette solution, nous fait savoir par la note à laquelle j'ai l'honneur de répondre qu'elle ne paraît pas devoir être en conformité avec les sentiments exprimés par Sir W. White-way et par les Délégués de Terre-Neuve, et il ajoute que pour donner satisfaction aux vœux de la Colonie, la France devrait consentir à l'abandon des droits qui lui sont reconnus par les Traités; en échange la Colonie serait disposée à offrir soit des facilités pour l'achat de la boîte, soit une somme raisonnable en rapport avec la valeur des avantages abandonnés et en compensation des intérêts atteints.

Les Représentants de la Colonie sont convaincus qu'un arrangement de cette nature serait profitable à la France, et ils auraient désiré qu'on ne perdît pas de temps pour le soumettre à l'examen du Gouvernement Français.

Ainsi que j'ai eu l'honneur de le dire, à diverses reprises, à votre Excellence, les intentions conciliantes du Gouvernement de la République ne sont nullement changées. Confiant dans les sentiments identiques qu'il a toujours rencontrés auprès des Ministres de Sa Majesté, il ne doute pas qu'une solution favorable ne puisse intervenir une fois encore, et il est tout disposé à rechercher les conditions d'un accord.

Mais il n'hésite pas à déclarer que les propositions qui émanent des Représentants de la Colonie lui semblent reposer sur une appréciation tout à fait inexacte de la nature des droits et de l'importance des intérêts Français, ainsi que sur une exagération manifeste des maux dont se plaint la Colonie.

Sur ce dernier point je me contenterai de faire observer à votre Excellence combien les plaintes de la Colonie sont peu en rapport avec les renseignements parvenus aux deux Gouvernements sur le calme complet avec lequel la pêche s'est accomplie au cours des dernières campagnes.

En raison de ces diverses considérations, et malgré le désir sincère dont le Gouvernement Français est animé d'écarter des difficultés toujours regrettables, il n'a pas cru devoir adhérer aux propositions qui lui sont faites d'échanger ses droits, soit contre le

payement d'une somme d'argent, soit contre certaines facilités au sujet de l'achat de la boîte.

Le Gouvernement de la République est, d'ailleurs, tout disposé à examiner les autres conditions d'un accord qui pourraient lui être soumises, soit qu'elles se rapprochent des bases du projet rédigé en 1885, soit qu'elles visent l'éventualité d'une décision arbitrale, conformément aux premières vues déjà échangées à ce sujet entre les deux Gouvernements.

Agréé, &c.,

Le Comte de Lytton.

A. RIBOT.

No. 27.—The Marquess of Salisbury to the Earl of Lytton.

MY LORD,

Foreign Office, November 17, 1890.

By the wish of the Newfoundland Delegates I laid before the French Government, through M. Waddington, to-day the proposal which they thought might possibly meet with the acceptance of that Government.

My previous conversations with his Excellency had not led me to be so sanguine as they appeared to be in that respect, and therefore I offered it without comment.

It was to this effect: that in consideration of a good Bait Bill and a sum of money to be afterwards agreed upon, the French Government should abandon all their special rights on the shores or in the territorial waters of Newfoundland, and should also discontinue the practice of giving a bounty on fish not consumed in French territory.

M. Waddington replied that he would lay the proposal before his Government, and would communicate the answer as soon as it arrived; but that he had little hope of its being favourable.

I am, &c.,

The Earl of Lytton.

SALISBURY.

No. 33.—M. Waddington to the Marquess of Salisbury.—(Received December 2.)

M. LE MARQUIS,

Londres, le 29 Novembre, 1890.

Je n'ai pas manqué de soumettre à l'appréciation du Gouvernement de la République le projet d'arrangement dont votre Seigneurie m'a fait l'honneur de m'entretenir le 17 de ce mois, en vue de mettre fin aux difficultés que rencontre l'exercice des droits de nos pêcheurs à Terre-Neuve.

Dans le courant du mois dernier M. l'Ambassadeur d'Angleterre à Paris avait déjà remis à son Excellence, M. Ribot, une note de

vosre Seigneurie contenant des ouvertures dans le même sens. Ces ouvertures ne furent pas accueillies, ainsi qu'il résulte de la réponse de M. le Ministre des Affaires Étrangères en date du 29 Octobre, mais Lord Lytton a pu se rendre compte une fois de plus, à cette occasion, des sentiments de conciliation dont le Gouvernement de la République n'a jamais cessé d'être animé dans la discussion de cette importante question.

Les propositions que vous m'avez demandé de communiquer à mon tour à M. Ribot diffèrent de celles que lui avait transmises Lord Lytton, lesquelles prévoyaient, en échange de l'abandon de nos droits sur le "French Shore," soit une indemnité pécuniaire, soit des facilités à accorder à nos pêcheurs pour l'achat de la boîte, tandis que votre Seigneurie nous offre aujourd'hui l'indemnité et les facilités dont il s'agit, mais réclame en revanche, avec l'abandon de nos droits sur le "French Shore," l'abolition des primes qui encouragent en France l'exportation des morues dans les pays que baigne la Méditerranée.

Je n'avais pas cru devoir attendre les instructions de M. Ribot pour vous faire pressentir l'accueil dont ces dernières propositions ne pouvaient manquer, à mon sens, d'être l'objet de la part du Gouvernement de la République, et je n'ai pas caché à votre Seigneurie qu'elles ne constitueraient certainement pas la base de négociations que nous nous efforçons de part et d'autre de trouver. La réponse que je reçois de M. le Ministre des Affaires Étrangères à ma communication précitée confirme entièrement mes prévisions.

Je ne reviendrai pas sur la question du rachat de nos droits et sur les facilités que la Colonie de Terre-Neuve prendrait l'engagement d'accorder à nos pêcheurs en ce qui concerne la boîte ; votre Seigneurie connaît notre manière de voir à cet égard.

En ce qui touche l'abolition de nos primes, je me bornerai à vous faire observer que cette question ne saurait offrir une base de discussion, non seulement parce qu'elle est d'ordre intérieur, mais parce que le Parlement Français s'est, récemment encore, prononcé pour le maintien de la prime. Il ne dépendrait donc pas du Gouvernement de la République de modifier nos Tarifs en faveur des habitants de Terre-Neuve et au détriment de nos pêcheurs.

Telle est, M. le Marquis, la réponse que je suis autorisé à faire au projet d'arrangement dont vous avez bien voulu me tracer les grandes lignes ; ce projet émane des Délégués de Terre-Neuve, et il s'inspire, par suite, presque uniquement des intérêts de la Colonie ; il ne tient, pour ainsi dire, aucun compte des nôtres, qui sont pourtant considérables, consacrés en outre par les Traités, et garantis par la double signature des Gouvernements Français et Anglais. Dans ces conditions je ne puis que vous renouveler l'assurance que j'ai eu l'honneur de vous donner déjà à maintes reprises, à savoir, que nous

sommes toujours disposés à entrer avec le Gouvernement de la Reine dans la voie d'un accord, mais il va de soi que cette entente n'aura des chances de se produire que si les droits et les intérêts des deux Parties sont équitablement mis en balance, et si on n'attend pas du Gouvernement Français des concessions auxquelles il lui soit impossible de souscrire. Je suis persuadé, M. le Marquis, qu'en faisant appel à votre haute impartialité il sera possible à bref délai de mettre un terme à des difficultés dont le Gouvernement de la République poursuit depuis longtemps avec un incontestable bon vouloir la solution définitive.

Veillez, &c.,

Le Marquis de Salisbury.

WADDINGTON.

No. 39.—The Marquess of Salisbury to the Earl of Lytton.

MY LORD,

Foreign Office, January 14, 1891.

I LEARN from Her Majesty's Secretary of State for the Colonies that, in a recent Report by Captain Sir B. Walker, the Senior Naval Officer on the Newfoundland Station, notice is again drawn to the illicit traffic in spirits which is being carried on in Newfoundland by the masters of certain French vessels frequenting the coast.

Sir B. Walker states that, in settling by arbitration a dispute between Captain Philippe, Prud'homme of Brig Bay, and Lewis Garrow, a small local trader, he had received a schedule showing that no less than 92 quarts of brandy had been received by Garrow from Philippe in exchange for miscellaneous stores supplied in May 1889.

This case is an instance of a constant and general practice to which the attention of the French Government has formerly been more than once drawn; and it will be remembered that in the course of the negotiations at Paris, which resulted in the unratified Arrangement of 1885, the French Commissioners were authorized by their Government to declare that, immediately after the ratification of that Arrangement, instructions would be sent to the Commandant of the Colony of St. Pierre and Miquelon for the prohibition to schooners and boats fitted out there for fishing purposes to ship a greater amount of spirituous liquors than should be deemed necessary for the requirements of the crew.

Although the Convention has never come into effect, Her Majesty's Government cannot doubt that the French Government will be ready to do what is in their power to prevent a trade which is not only injurious to the revenues of the British Colony, but indirectly tends to the increase of misery and destitution amongst

the inhabitants of the coast, and leads not unfrequently to disputes between British and French subjects.

They have the more reason for confidence in this respect, as the French Declaration of Versailles of 1783 contained a pledge of "constant attention to prevent the Islands of St. Pierre and Miquelon from becoming an object of jealousy between the two nations."

I have to request your Excellency to call the attention of the French Government to the continued existence of this illicit traffic, and to press urgently for the adoption by them of adequate measures for its repression.

I am, &c.,

The Earl of Lytton.

SALISBURY.

No. 45.—The Marquess of Salisbury to M. Waddington.

M. L'AMBASSADEUR,

Foreign Office, January 20, 1891.

I HAD the honour to confer with your Excellency on the day before Christmas Day with reference to the present position of the negotiations respecting Newfoundland; and I conveyed to you the probability that, in view of the recent failure of all attempts to close the question by agreement, we should take an early opportunity of inviting the French Government to refer the principal questions in dispute to arbitration. You expressed a general concurrence in this policy, and intimated your willingness to receive any proposals I might have to make.

I now submit to your Excellency, for the consideration of the Government of the Republic, a proposal to refer the extent and limits of the rights secured to France by the Treaty of Utrecht and subsequent stipulations to the decision of an Arbitrator. The principal questions which separate us on the subject of Newfoundland were stated in my despatch to Lord Lytton of the 24th September, which was communicated by him to M. Ribot.

Taking them in the order of their urgency at the present time, they are as follows:—

1. Do the words "permis de pêcher et de sécher le poisson," employed in Article XIII of the Treaty of Utrecht, apply to all kinds of animals found in the sea; if not, to which kinds is the application limited?

2. Whether Great Britain, by granting to France the right of drying fish and cutting wood along a portion of the shore of Newfoundland, and by promising the removal of "établissements sédentaires," has engaged to prohibit her subjects from erecting any kind of building on that part of the shore, or only those buildings

which are concerned with the fishery ; and, if so, whether lobster factories are included in the prohibition ?

3. Do the Treaties, by prohibiting French subjects from any construction on the shore beyond "échafauds et cabanes nécessaires et usités pour sécher le poisson," prohibit them from erecting removable lobster factories ?

4. To what depth inland do the prohibitions against building on the part of British subjects, whatever they may be, extend ?

5. Whether, under the true interpretation of the Treaties, Great Britain, in virtue of her sovereignty over Newfoundland, possesses on that part of the coast rights of fishery concurrent with those of France, and equal to them ; or only rights which must be so exercised as not to disturb the fishery of France ?

The controversy is too familiar to the French Foreign Office for it to be necessary for me to accompany this summary of the questions to be referred by any commentaries or explanations. If there are any amendments to this statement which would, in the view of the Government of the Republic, make it a more satisfactory basis of reference, I shall be happy to consider them. But if, on the other hand, I receive from you an intimation that, for the present at least, this statement of our differences would, in the opinion of the French Government, furnish an adequate material for the judgment of an Arbitrator, and would give the Arbitrator an opportunity of setting at rest the most difficult of the controversies in which we are engaged, I would then proceed to submit, for your consideration, suggestions with regard to the mode in which that Arbitrator should be chosen, and as to the precise terms in which the questions should be placed before him.

I have, &c.,

M. Waddington.

SALISBURY

No. 46.—The Marquess of Salisbury to the Earl of Lytton.

MY LORD,

Foreign Office, February 11, 1891.

THE French Ambassador called at this Office this afternoon, and made the following communication on behalf of his Government in reply to the proposal I had addressed to him for submitting to arbitration the questions at issue between the two Governments in regard to the Newfoundland fisheries :—

The French Government accept arbitration as the means of putting an end to the difficulties in regard to the Newfoundland fisheries which the two Governments desire to adjust. They agree at once that the Arbitrators shall adjudge any questions which may be submitted to them by either Cabinet in regard to the capture and preparation of lobsters.

They think there would be considerable difficulty in settling beforehand the exact issues to be submitted, and that it should be open to either Government to submit to the Arbitrators any question connected with the western shore of Newfoundland, provided that it is one which concerns the capture and preparation of lobsters. They propose that the Board of Arbitration should consist of three jurists, with the addition of one or, if necessary, two members appointed on either side. These latter would act as the mediums of communication between the Tribunal and the two Governments, but would also themselves vote as Arbitrators.

The French Government make their consent to the arbitration dependent upon two preliminary conditions, namely, that the *modus vivendi* agreed upon for last fishing season shall be renewed for the present year, and that they should receive an assurance from Her Majesty's Government that effect will be given to the decision of the Arbitrators, whatever it may be.

I informed M. Waddington that these proposals would receive due consideration, and that a reply would be sent to him after consultation with the Cabinet.

I am, &c.,

The Earl of Lytton.

SALISBURY.

No. 47.—The Marquess of Salisbury to the Earl of Lytton.

MY LORD,

Foreign Office, February 14, 1891.

IN accordance with the instructions of the Cabinet, I have to-day informed M. Waddington that Her Majesty's Government agree generally with the French Government in regard to the proposed arbitration on the Newfoundland Fishery question.

I had some conversation with his Excellency as to the Arbitrators to be chosen, and as to the place where they should meet.

I said that the best plan would appear to be that the names of several jurists belonging to neutral nations should be suggested by the two Governments, and that three should then be selected from the list. It would, I thought, be necessary to choose persons well acquainted with both English and French.

I added that, speaking from first impressions, it appeared to me that the best meeting-place for the Tribunal of Arbitration would be Brussels.

I am, &c.,

The Earl of Lytton.

SALISBURY.

No. 50.—Agreement between Great Britain and France.—Signed at London, March 11, 1891.

THE Government of Her Britannic Majesty and the Government of the French Republic having resolved to submit to a Commission of Arbitration the solution of certain difficulties which have arisen on the portion of the coasts of Newfoundland comprised between Cape St. John and Cape Ray, passing by the north, have agreed upon the following provisions :—

1. The Commission of Arbitration shall judge and decide all the questions of principle which shall be submitted to it by either Government, or by their Delegates, concerning the catching and preparation of lobsters on the above-mentioned portion of the coasts of Newfoundland.

2. The two Governments engage, in so far as each may be concerned, to execute the decisions of the Commission of Arbitration.

3. The *modus vivendi* of 1890* relative to the catching and preparation of lobsters is renewed purely and simply for the fishery season of 1891.

4. As soon as the questions relative to the catching and preparation of lobsters shall have been decided by the Commission, it may take cognizance of other subsidiary questions relative to the fisheries on the above-mentioned portion of the coasts of Newfoundland, and upon the

LE Gouvernement de Sa Majesté Britannique et le Gouvernement de la République Française ayant résolu de soumettre à une Commission Arbitrale la solution de certaines difficultés survenues sur la partie des côtes de Terre-Neuve comprise entre le Cap Saint-Jean et le Cap Ray, en passant par le nord, sont tombés d'accord sur les dispositions suivantes :—

1. La Commission Arbitrale jugera et tranchera toutes les questions de principe qui lui seront soumises par l'un ou l'autre Gouvernement, ou par leurs Délégués, concernant la pêche du homard et sa préparation sur la partie susdite des côtes de Terre-Neuve.

2. Les deux Gouvernements s'engagent, chacun en ce qui le concerne, à exécuter les décisions de la Commission Arbitrale.

3. Le *modus vivendi* de 1890* relatif à la pêche du homard et à sa préparation est renouvelé purement et simplement pour la saison de pêche de 1891.

4. Une fois que les questions relatives à la pêche du homard et à sa préparation auront été tranchées par la Commission, elle pourra être saisie d'autres questions subsidiaires relatives aux pêcheries de la partie susdite des côtes de Terre-Neuve, et sur le texte desquelles les deux Gou-

text of which the two Governments shall have previously come to an agreement.

5. The Commission of Arbitration shall be composed—

(1.) Of three Specialists or Jurisconsults designated by common consent by the two Governments ;

(2.) Of two Delegates of each country, who shall be the authorized channels of communication between the two Governments and the other Arbitrators.

6. The Commission of Arbitration thus formed of seven members shall decide by majority of votes and without appeal.

7. It shall meet as soon as possible.

Done at London, the 11th day of March, 1891.

SALISBURY.
WADDINGTON.

vernements seront préalablement tombés d'accord.

5. La Commission Arbitrale sera composée—

(1.) De trois Spécialistes Jurisconsultes désignés commun accord par les Gouvernements ;

(2.) De deux Délégués de chaque pays, qui seront les intermédiaires autorisés entre les deux Gouvernements et les autres Arbitres.

6. La Commission Arbitrale ainsi formée de sept membres statuera à la majorité des voix sans appel.

7. Elle se réunira aussitôt que possible pour faire ce qu'elle devra.

Fait à Londres, le 11 Mars, 1891.

SALISBURY.
WADDINGTON.

No. 51.—M. Waddington to the Marquess of Salisbury.—(Received March 11.)

M. LE MARQUIS,

Londres, le 11 Mars, 1891.

A LA suite de l'arrangement que nous avons signé en date du 10 Mars, en vue de soumettre à une Commission Arbitrale la solution de certaines difficultés survenues sur les côtes de Terre-Neuve, le Gouvernement de la République et celui de Sa Majesté la Reine ont désigné d'un commun accord les trois Arbitres dont les noms suivent :—

1. M. de Martens, Professeur de Droit des Gens à l'Université de Saint-Petersbourg.

2. M. Rivier, Consul-Général de Suisse à Bruxelles, Président de l'Institut de Droit International.

3. M. Gram, ancien membre de la Cour Suprême de Norvège.

Les frais généraux de l'arbitrage et les honoraires des trois Arbitres seront supportés par moitié par les deux Gouvernements. Il est bien entendu que la Commission, sauf dans le cas prévu par l'Article 4, écartera de ses discussions les questions qui lui seront

soumises, et qui ne seraient pas relatives à la pêche du homard et à sa préparation.

Il est également entendu que le Gouvernement de la République réserve expressément, avant la mise à exécution de l'arrangement précité, l'approbation des Chambres Françaises.

Veuillez, &c.,

Le Marquis de Salisbury.

WADDINGTON.

No. 52.—*The Marquess of Salisbury to M. Waddington.*

M. L'AMBASSADEUR,

Foreign Office, March 11, 1891.

WITH reference to the arrangement which we have signed on the 11th of this month for the purpose of submitting to a Commission of Arbitration the solution of certain difficulties which have arisen on the coasts of Newfoundland, Her Britannic Majesty's Government and the Government of the French Republic have designated by common consent the three Arbitrators whose names follow :—

1. M. de Martens, Professor of International Law at the University of St. Petersburg ;

2. M. Rivier, Consul-General of Switzerland at Brussels, President of the Institute of International Law ;

3. M. Gram, formerly member of the Supreme Court of Norway.

The general expenses of the arbitration and the remuneration of the three Arbitrators shall be borne in equal moieties by the two Governments. It is well understood that the Commission, except in the case provided for by Article 4, shall exclude from its discussions any questions which may be submitted to it which do not relate to the catching and preparation of lobsters.

It is equally understood that Her Britannic Majesty's Government reserve expressly the approval of the British Parliament before the above-mentioned arrangement is put into execution.*

I have, &c.,

M. Waddington.

SALISBURY.

* The following Resolution was passed by the House of Commons on the 28th May, 1891, with reference to the Newfoundland Fisheries Bill :—

Resolved,—That this House, having been informed that a satisfactory Act has now passed the Legislature of Newfoundland, and declaring its readiness to support the Government in taking all measures necessary for carrying out the Treaty obligations of this country, and the arrangements for arbitration made with the Government of France in this matter, does not now proceed to the second reading of the Bill.

[1890-91. LXXXIII.]

*LOI de la Belgique, portant répression des infractions
Dispositions de la Convention Internationale du 6 Mai
1882,* sur la Pêche dans la Mer du Nord, et des infraction
tions à l'Article IV de la Déclaration signée le 2 Mars
1891,† entre la Belgique et la Grande-Bretagne.— OSTE
le 4 Septembre, 1891.*

LÉOPOLD II, Roi des Belges, à tous présents et à venir, salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :-

ART. 1^{er}. Indépendamment des officiers de police judiciaire chargés de la recherche et de la constatation des délits de common, les Commissaires Maritimes et leurs agents, les employés de la Douane, les Capitaines commissionnés commandant les navires de l'État, les Commandants des bâtiments croiseurs étrangers, et les derniers dans les limites fixées par la Convention, sont chargés de rechercher les infractions aux dispositions de la Convention Internationale du 6 Mai, 1882,* sur la police de la pêche dans la Mer du Nord, telle qu'elle a été modifiée par la Déclaration Internationale du 1^{er} Février, 1889.†

Les procès-verbaux des Commandants des bâtiments croiseurs étrangers feront foi jusqu'à preuve contraire.

2. Les contraventions aux dispositions des Articles VI à XII de la Convention et à l'Article 1^{er}, § 2, de la Déclaration Internationale du 1^{er} Février, 1889,‡ seront punies d'un emprisonnement de sept jours et d'une amende de 1 fr. à 25 fr., ou d'une de ces peines seulement.

3. Les infractions aux dispositions des Articles XIV à XX de la Convention seront punies d'un emprisonnement de huit à quinze jours et d'une amende de 26 fr. à 50 fr., ou d'une de ces peines seulement.

4. Sera puni conformément à l'Article III quiconque aura résisté aux prescriptions des Commandants des bâtiments chargés de la police de la pêche ou de ceux qui agissent d'après leurs ordres, ou qui a causé préjudice des peines comminées par le Code Pénal en cas de rébellion.

5. En cas de récidive le Juge prononcera, outre l'amende, le maximum de l'emprisonnement.

Il y a récidive lorsque le contrevenant a déjà été condamné aux deux années précédentes du chef de l'une des infractions prévues soit par la présente Loi, soit par la Loi du 27 Mars, 1882.§

6. Les patrons condamnés du chef des infractions prévues

* Vol. LXXIII, page 39.

† Page 23.

‡ Vol. LXXXI, page 9.

§ Vol. LXXIII, page 70.

l'Article 3, s'il en est résulté un dommage, et par l'Article 4, de même que les patrons condamnés par application de la Loi du 27 Mars, 1882, pourront, en outre, être interdits de tout commandement d'un bateau de pêche pour un terme de trois mois à deux ans, et, en cas de récidive, pour un terme de deux à cinq ans, à compter du jour où ils auront subi leur peine.

7. Les peines prévues par les Articles 3, 5, et 6 qui précèdent seront applicables aux infractions à l'Article 4 de la Déclaration signée le 2 Mai, 1891, entre la Belgique et la Grande-Bretagne. Ces infractions seront recherchées et constatées conformément à l'Article 1^{er} de la présente Loi par les officiers ou agents qui y sont désignés, à l'exclusion des Commandants des croiseurs n'appartenant ni à la Belgique ni à la Grande-Bretagne.

8. Le Tribunal Correctionnel de l'arrondissement ou le Tribunal de Police du canton où est situé le port d'attache auquel appartient le bateau de l'inculpé sera, suivant les cas, compétent pour statuer sur les infractions punies par la présente Loi.

9. Par dérogation à l'Article 100 du Code Pénal, le Chapitre VII, les §§ 2 et 3 de l'Article 72, le § 2 de l'Article 76, et l'Article 85 du Livre 1^{er} de ce Code seront applicables aux délits prévus par la présente Loi.

10. Les délits prévus par la présente Loi seront prescrits par le délai d'une année à compter du jour où l'infraction a été commise.

Les actes qui interrompent la prescription pourront prolonger d'une année ce délai.

11. La Loi du 8 Janvier, 1884, est abrogée.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Ostende, le 4 Septembre, 1891.

(L.S.) LÉOPOLD.

Par le Roi :

JULES LE JEUNE, *Ministre de la Justice.*

*LOI de la Belgique, concernant les Étrangers.—Laeken,
le 6 Mars, 1891.*

LÉOPOLD II, Roi des Belges, à tous présents et à venir, salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :—

Art. 1^{er}. Les Articles 1^{er} à 7 de la Loi du 6 Février, 1885,* concernant les étrangers, sont remis en vigueur.

* Vol. LXXVI, page 257.

2. La présente Loi ne sera obligatoire que jusqu'au 15 Février 1894, à moins qu'elle ne soit renouvelée.

3. Les Arrêtés d'expulsion pris en vertu des Lois antérieures sont maintenus.

4. La présente Loi sera obligatoire le lendemain de son insertion au "Moniteur."

Promulguons la présente Loi, ordonnons qu'elle soit revêtue du sceau de l'État et publiée par la voie du "Moniteur."

Donné à Laeken, le 6 Mars, 1891.

(L.S.) LÉOPOLD

Par le Roi :

JULES LE JEUNE, *Ministre de la Justice*

*CORRESPONDENCE between Great Britain and Egypt
respecting the Re-occupation of Tokar by the Egyptian
Government.—1890, 1891.*

*No. 1.—Sir E. Baring to the Marquess of Salisbury.—(Received
November 17.)*

MY LORD,

Cairo, November 7, 1891.

I AM most unwilling to trouble your Lordship on a subject which was fully considered at the beginning of this year, but I find that such a strong opinion exists amongst both the English military and the Egyptian authorities as to the advisability of occupying Tokar that I am constrained to send home the inclosed Memorandum which has been communicated to me by Sir Francis Grenfell.

Personally, as your Lordship is aware, I concur in Sir Francis Grenfell's views. The occupation of Tokar could, I am assured, be easily carried out without any increase to the present strength of the army, and at a very small cost. It would go far to quiet the Eastern Soudan, and would solve the Trade question which has so long presented many difficulties. Neither do I think it needful to any ulterior operations, unless it be thought advisable, on general grounds, that such operations should be undertaken.

I would venture to ask your Lordship to reconsider the matter.

I have, &c.,

The Marquess of Salisbury.

E. BARING

(Inclosure.)—Memorandum by Major-General Sir F. Grenfell.

A FEW days ago Mustafa Pasha Fehmy, Minister of War, spoke to me confidentially on the present state of the Eastern Soudan.

He pointed out the misery existing there, and asked me if, in my opinion, the time had not arrived when the Egyptian Government might resume its sway over that part of the country in the immediate vicinity of Suakin.

This his Government was most anxious to do, directly it was financially possible. Since my arrival in Cairo I have been carefully considering the question, and I was able to give him a good deal of information received from Suakin, all of which tended to show that in the next two months a favourable opportunity might arise for a reoccupation of the country as far as Tokar.

The restriction of the grain trade caused by the quarantine cordon has resulted in an entire break-up of Osman Digna's force, a number of his men having returned to Kassala and Berber, and by the last accounts there are not more than 400 men left in Tokar.

Handoub is occupied by about 100 men, who are solely there to prey on the Friendlies entering and leaving Suakin, and if the new restricted trade is to succeed, the brigand should (as a police measure) be suppressed.

The Dervish force has never been so weak or so discredited as at the present time, and the tribes are now most anxious to be permitted to expel the few remaining Dervishes.

I am convinced that the time has come when, without any strain on the finances of the country, and without any assistance from English troops, the country as far as Tokar could be pacified.

It must be remembered that once Tokar is occupied, it could not again be assailed by a Dervish force.

The long road, over 200 miles, from Kassala is destitute of food, and now it is strewn with the bodies of Osman Digna's men, who died of starvation on the road. Even with Tokar to supply his force, his losses were very great; therefore, once Tokar is occupied, no fear need be entertained of any serious hostile irruption into the Eastern Soudan.

The occupation of Tokar stands by itself, and does not in any way lead to a further advance.

The reinforcement to the present garrison of Suakin need not exceed two battalions of infantry and a camel corps, with a slight increase to the cavalry and artillery, all of which are available, and the total extra expense will not be considerable, as Government transport is available.

I earnestly recommend that the garrison of Suakin be quietly reinforced, that the tribes be informed that the Government means, at no distant date, to resume its obligations that a strong hand be taken against robbery and brigandage in the vicinity of Suakin, that a restricted grain trade be established, and that caravans of loyal

natives be protected, and when an opportunity occurs Tokar occupied.

The future Government of the country would at first be military one, with civilian employés, such as now exists on the frontier.

Irrigation, which has for years been neglected, would be resumed under competent engineers, trade encouraged, and soon the country would pay for its administration.

This measure need not lead to any further responsibilities, but could then afford to wait quietly for some years till Egypt was in a position, financially, to resume her former government.

If nothing be done, I foresee a dark future for the Egyptian Soudan; the tribes, seeing that the Government will do nothing, must, for very existence, throw themselves more into the hands of the Dervishes.

F. GRENFELL, *Major-General*

To Sir E. Baring.

No. 6.—The Marquess of Salisbury to Sir E. Baring.

(Telegraphic.)

Foreign Office, February 7,

HER Majesty's Government have no objection to offer, in view of the opinions of yourself, the Egyptian Government, and the military authorities, to the occupation by the Egyptian troops of Tokar.

It should, however, be understood that Her Majesty's Government object as strongly as ever to any further advance into the interior; and expect that the Egyptian Government will maintain an effective control over the military authorities in that respect.

No. 7.—Sir E. Baring to the Marquess of Salisbury.—(Received February 8.)

(Telegraphic.)

Cairo, February 8,

THE Governor of Suakin has been given authority to reoccupy Tokar. Strict instructions have been sent him not to advance beyond that place.

No. 17.—Sir E. Baring to the Marquess of Salisbury.—(Received February 21.)

(Telegraphic.)

Cairo, February 21,

CONSUL at Suakin telegraphs as follows:—

“Colonel Smith reports Tokar was occupied on the 19th after a severe engagement.

"Osman Digna's force was of 2,000 men, with 2,000 in reserve; he has been utterly defeated, all the principal Emirs have been killed, and 700 Dervishes. Our losses are one English officer (Captain Barrow), 4 native officers, and 12 men killed, and 42 wounded. Osman Digna has fled with 30 horsemen. Afaft has been occupied by Colonel Holled Smith."

No. 23.—Sir E. Baring to the Marquess of Salisbury.—(Received March 7.)

(Telegraphic.)

Cairo, March 7, 1891.

GRENFELL'S Proclamation states Egyptian Government reassumed authority over Eastern Soudan, and calls on all tribes to expel Dervishes from their country. General amnesty granted except to notorious slave-traders. Just government will be established. No intention of retiring from Tokar Province.

Some tribes subsidized, but no definite arrangements for future will be made till after Grenfell has returned here. 231 prisoners released; 300, including families, considered dangerous and detained for the present. Grenfell has visited Sinkat [and] found all quiet, and population rejoiced at re-establishment of Government, while country is now quite clear of Dervishes.

CONVENTION between Italy and Germany, respecting Consular Marriages.—Signed at Rome, May 4, 1891.

[Ratifications exchanged at Berlin, May 20, 1891.]

(Translation.)

His Majesty the King of Italy, on the one side, and His Majesty the Emperor of Germany, King of Prussia, on the other, desiring to regulate the competence of their respective Consuls in proceeding to the celebration of marriages, have decided with this object to supplement the Consular Convention of the 21st December, 1868* (7th February, 1872†), by an Additional Convention, and have appointed as their Plenipotentiaries:

His Majesty the King of Italy, the Marquis Antonio Starabba di Rudini, his President of the Council, Secretary of State for Foreign Affairs; and

His Majesty the Emperor of Germany, King of Prussia, Count

* Vol. LVIII, page 853.

† Vol. LXIII, page 640.

Eberhardt von Solms-Sonnenwalde, his Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Italy;

Who have agreed as follows:—

ART. I. The respective Consuls-General, Consuls, and Vice-Consuls have the right, in so far as they are authorized by the laws of the State which has appointed them, to proceed to celebrate marriages between the subjects of this State, and to issue documents proving the celebration of the marriage.

II. The present Convention shall come into force the 1st July 1891.

III. The present Convention shall be ratified, and the ratifications shall be exchanged at Berlin not later than the 31st May.

In confirmation of which the respective Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Rome, the 4th May, 1891.

(L.S.) RUDOLPH

(L.S.) SOLMS-Sonnenwalde

PROTOCOLE entre la France, le Portugal, et l'État Indépendant du Congo, relatif aux Droits d'Entrée dans le Bassin Occidental du Congo.—Signé à Paris, le 9 Février 1891.

Le Gouvernement de la République Française, le Gouvernement de l'État Indépendant du Congo, et le Gouvernement de Sa Majesté le Roi de Portugal et des Algarves, ayant ouvert entre eux la négociation prévue par la Déclaration du 2 Juillet [1890],* à l'effet d'établir un Tarif de droits d'entrée dans le bassin occidental du Congo, se sont entendus sur les points suivants:—

1. Tous les produits importés dans le bassin occidental du Congo seront taxés à 6 pour cent de la valeur, sauf les armes, les munitions, la poudre, et le sel, qui acquitteront le taux de 10 pour cent. Les alcools sont réservés.

2. Les navires et bateaux, les machines à vapeur, les appareils mécaniques servant à l'industrie ou à l'agriculture, et les outils d'usage industriel et agricole seront exempts à l'entrée pendant une période de quatre ans prenant cours le jour de l'application des droits et pourront ensuite être imposés à 3 pour cent.

3. Les locomotives, voitures et matériel de chemin de fer seront exempts pendant la période de construction des lignes et jusqu'à

* Vol. LXXXII, page 80.

jour de l'exploitation. Ils pourront ensuite être imposés à 3 pour cent.

4. Les instruments de science et de précision, ainsi que les objets servant au culte, les effets d'habillement et bagages à l'usage personnel des voyageurs et des personnes qui viennent s'établir sur le territoire du bassin occidental du Congo, sont exempts.

5. Le présent Tarif sera revisable d'année en année, sur la demande de l'une ou de l'autre des Parties Contractantes, formulée six mois au moins avant l'expiration de chaque année. Il ne pourra toutefois être fait usage de cette dernière faculté qu'après dix-huit mois d'application du Tarif.

Au cas où une entente ne s'établirait pas sur les termes de la revision, les Puissances en cause retrouveraient leur liberté de tarification dans les limites prévues par la Déclaration du 2 Juillet dernier.

En foi de quoi les Soussignés, M. Alexandre Ribot, Député, Ministre des Affaires Étrangères de la République Française, M. le Baron Beyens, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi Souverain de l'État Indépendant du Congo, et M. d'Antas, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Portugal et des Algarves, dûment autorisés à cet effet, ont dressé le présent Acte, qu'ils ont revêtu de leurs cachets.

Fait à Paris, en triple exemplaire, le 9 Février, 1891.

(L.S.) RIBOT

(L.S.) BEYENS.

(L.S.) D'ANTAS.

*BRITISH NOTIFICATION of the Prohibition by the Chilean Government of the Importation into Chile of Arms, &c.—
London, February 23, 1891.**

Foreign Office, February 23, 1891.

HER Majesty's Government have been informed, by the Chilean Minister at this Court, that the importation into Chile of arms, ammunition, and war material of every description is absolutely prohibited during the continuance of the present civil disorders in which the Chilean Republic is involved.

* "London Gazette," February 24, 1891.

SWISS NOTIFICATION of the Accession of Spain to the International Convention of November 3, 1881, respecting the "Phylloxera Vastatrix."—Berne, May 22, 1891.†*

LE Gouvernement Espagnol a déclaré adhérer pour l'Espagne à la Convention Phylloxérique du 3 Novembre, 1881.

AWARD of the Emperor of Russia, respecting the Boundary between French and Dutch Guiana.—Gatchina, May 1891.

Nous, Alexandre III, par la grâce de Dieu Empereur de Toutes les Russies :

Le Gouvernement des Pays-Bas et le Gouvernement de la République Française ayant résolu, aux termes d'une Convention conclue entre les deux pays le 29 Novembre, 1888,‡ de mettre fin à l'amiable au différend qui existe touchant les limites de leurs Colonies respectives de Surinam et de la Guyane Française, et de remettre à un Arbitre le soin de procéder à cette délimitation, nous ont agréé la demande de nous charger de cet arbitrage.

Voulant répondre à la confiance que les deux Puissances litigantes nous ont ainsi témoignée, et après avoir reçu l'assurance de leurs Gouvernements d'accepter notre décision comme jugement suprême et sans appel et à s'y soumettre sans aucune réserve, nous avons accepté la mission de résoudre comme Arbitre le différend entre les deux pays, et nous tenons pour juste de prononcer la sentence suivante :—

Considérant que la Convention du 28 Août, 1817,§ qui a fixé les conditions de la restitution de la Guyane Française à la France par le Portugal, n'a jamais été reconnue par les Pays-Bas ;

Qu'en outre cette Convention ne saurait servir de base pour résoudre la question en litige, vu que le Portugal, qui avait possédé la Guyane Française, en vertu du Traité d'Utrecht de 1713,§ d'une part, et la France, qui avait restitué la Guyane Française, ne pouvait restituer à la France en 1815 qu'un territoire qui lui avait été cédé. Or, les limites de ce territoire ne se trouvent nullement définies par le Traité d'Utrecht de 1713 ;

* Vol. LXXIII, page 323.

† Extrait des Délibérations du Conseil Fédéral Suisse du 22 Mai, 1891.

‡ Vol. LXXIX, page 795.

§ Vol. IV, page 818.

Considérant d'autre part :

Que le Gouvernement Hollandais, ainsi que le démontrent des faits non contestés par le Gouvernement Français, entretenait à la fin du siècle dernier des postes militaires sur l'Awa ;

Que les autorités Françaises de la Guyane ont maintes fois reconnu les Nègres établis sur le territoire contesté comme dépendant immédiatement ou immédiatement de la domination Hollandaise, et que ces autorités n'entraient en relations avec les tribus indigènes habitant ce territoire que par l'entremise et en présence du Représentant des autorités coloniales Hollandaises ;

Qu'il est admis sans conteste par les deux pays intéressés que le Fleuve Maroni, à partir de sa source, doit servir de limite entre leurs Colonies respectives ;

Que la Commission Mixte de 1861 a recueilli des données en faveur de la reconnaissance de l'Awa comme cours supérieur du Maroni ;

Par ces motifs :

Nous déclarons que l'Awa doit être considérée comme fleuve limitrophe devant servir de frontière entre les deux possessions.

En vertu de cette décision arbitrale, le territoire en amont du confluent des Rivières Awa et Tapanahoni doit appartenir désormais à la Hollande, sans préjudice toutefois des droits acquis *bonâ fide* par les ressortissants Français dans les limites du territoire qui avait été en litige.

Fait à Gatchina, le 4³ Mai, 1891.

ALEXANDRE.

GIERs.

MESSAGE of the President of the United States, on the Opening of Congress.—Washington, December 9, 1891.

TO THE SENATE AND HOUSE OF REPRESENTATIVES,

THE Reports of the Heads of the several Executive Departments, required by law to be submitted to me, which are herewith transmitted, and the Reports of the Secretary of the Treasury and the Attorney-General, made directly to Congress, furnish a comprehensive view of the administrative work of the last fiscal year relating to internal affairs. It would be of great advantage if these Reports could have an attentive perusal by every member of Congress and by all who take an interest in public affairs. Such a perusal could not fail to excite a higher appreciation of the vast labour and conscientious effort which are given to the conduct of our civil administration.

The Reports will, I believe, show that every question has been approached, considered, and decided from the standpoint of public duty, and upon considerations affecting the public interests alone. Again I invite to every branch of the service the attention and scrutiny of Congress.

The work of the State Department during the last year has been characterized by an unusual number of important negotiations and by diplomatic results of a notable and highly beneficial character. Among these are the reciprocal trade arrangements which have been concluded, in the exercise of the powers conferred by section 3 of the Tariff Law, with the Republic of Brazil, with Spain for her West India possessions, and with San Domingo. Like negotiations with other countries have been much advanced, and it is hoped that before the close of the year further definitive trade arrangements of great value will be concluded.

In view of the reports which had been received as to the diminution of the seal herds in the Behring Sea, I deemed it wise to propose to Her Majesty's Government in February last that an agreement for a closed season should be made pending the negotiations for arbitration, which then seemed to be approaching a favourable conclusion. After much correspondence, and delays for which our Government was not responsible, an agreement was reached and signed on the 15th June, by which Great Britain undertook, from that date and until the 1st May, 1892, to prohibit the killing by her subjects of seals in the Behring Sea, and the Government of the United States, during the same period, to enforce its existing prohibition against pelagic sealing, and to limit the catch by the Fur Seal Company upon the islands to 7,500 skins. If this agreement could have been reached earlier, in response to the strenuous endeavours of this Government, it would have been more effective; but coming even as late as it did, it unquestionably resulted greatly diminishing the destruction of the seals by the Canadian sealers.

In my last Annual Message I stated that the basis of arbitration proposed by Her Majesty's Government for the adjustment of the long-pending controversy as to the seal fisheries was not acceptable. I am glad now to be able to announce that terms satisfactory to both Governments have been agreed upon, and that an agreement as to the Arbitrators is all that is necessary to the completion of the Convention. In view of the advanced position which this Government has taken upon the subject of international arbitration, this renewed expression of our adherence to this method for the settlement of disputes such as have arisen in the Behring Sea will, I doubt not, meet with the concurrence of Congress.

Provision should be made for a joint demarcation of the frontier

line between Canada and the United States, wherever required by the increasing border settlements, and especially for the exact location of the water boundary in the straits and rivers.

I should have been glad to announce some favourable disposition of the boundary dispute between Great Britain and Venezuela, touching the western frontier of British Guiana, but the friendly efforts of the United States in that direction have thus far been unavailing. This Government will continue to express its concern at any appearance of foreign encroachment on territories long under the administrative control of American States. The determination of a disputed boundary is easily attainable by amicable arbitration, where the rights of the respective parties rest, as here, on historic facts, readily ascertainable.

The Law of the last Congress providing a system of inspection for our meats intended for export, and clothing the President with power to exclude foreign products from our market in case the country sending them should perpetuate unjust discriminations against any product of the United States, placed this Government in a position to effectively urge the removal of such discriminations against our meats. It is gratifying to be able to state that Germany, Denmark, Italy, Austria, and France, in the order named, have opened their ports to inspected American pork products. The removal of these restrictions in every instance was asked for and given solely upon the ground that we had now provided a meat inspection that should be accepted as adequate to the complete removal of the dangers, real or fancied, which had been previously urged. The State Department, our Ministers abroad, and the Secretary of Agriculture have co-operated with unflagging and intelligent zeal for the accomplishment of this great result. The outlines of an agreement have been reached with Germany, looking to equitable trade concessions in consideration of the continued free importation of her sugars; but the time has not yet arrived when this correspondence can be submitted to Congress.

The recent political disturbances in the Republic of Brazil have excited regret and solicitude. The information we possessed was too meagre to enable us to form a satisfactory judgment of the causes leading to the temporary assumption of supreme power by President Fonseca, but this Government did not fail to express to him its anxious solicitude for the peace of Brazil and for the maintenance of the free political institutions which had recently been established there, nor to offer our advice that great moderation should be observed in the clash of parties and the contest for leadership. These counsels were received in the most friendly spirit, and the latest information is that constitutional government has been re-established without bloodshed.

The lynching at New Orleans in March last of 11 men of Italian nativity by a mob of citizens was a most deplorable and discreditable incident. It did not, however, have its origin in any general animosity to the Italian people; nor in any disrespect to the Government of Italy, with which our relations were of the most friendly character. The fury of the mob was directed against the men as the supposed participants or accessories in the murder of a city officer. I do not allude to this as mitigating in any degree the offence against law and humanity, but only as affecting the international questions which grew out of it. It was at once represented by the Italian Minister that several of those whose lives had been taken by the mob were Italian subjects, and a demand was made for the punishment of the participants and for an indemnity to the families of those who were killed. It is to be regretted that the manner in which these claims were presented was not such as to promote a calm discussion of the questions involved; but this may well be attributed to the excitement and indignation which the crime naturally evoked. The views of this Government as to its obligations to foreigners domiciled here were fully stated in its correspondence, as well as its purpose to make an investigation of the affair with a view to determine whether there were present circumstances that could, under such rules of duty as we are indicated, create an obligation upon the United States. The temporary absence of a Minister Plenipotentiary of Italy at Washington has retarded the further correspondence, but it is not doubtful that a friendly conclusion is attainable.

Some suggestions growing out of this unhappy incident are worthy the attention of Congress. It would, I believe, be entirely competent for Congress to make offences against the Treaty rights of foreigners domiciled in the United States cognizable in the Federal Courts. This has not, however, been done, and the Federal officers and Courts have no power in such cases to intervene either for the protection of a foreign citizen or for the punishment of his slayers. It seems to me to follow, in this state of the law, that the officers of the State charged with police and judicial powers in such cases must, in the consideration of international questions growing out of such incidents, be regarded in such sense as Federal agents as to make this Government answerable for their actions in cases where it would be answerable if the United States had used its constitutional power to define and punish crimes against Treaty rights.

The civil war in Chile, which began in January last, was continued, but fortunately with infrequent and not important armed collisions, until the 28th August, when the Congressional force landed near Valparaiso, and after a bloody engagement captured

that city. President Balmaceda at once recognized that his cause was lost, and a Provisional Government was speedily established by the victorious party. Our Minister was promptly directed to recognize and put himself in communication with this Government so soon as it should have established its *de facto* character, which was done. During the pendency of this civil contest frequent indirect appeals were made to this Government to extend belligerent rights to the insurgents, and to give audience to their representatives. This was declined, and that policy was pursued throughout which this Government, when wrenched by civil war, so strenuously insisted upon on the part of European nations. The *Itata*, an armed vessel commanded by a naval officer of the insurgent fleet, manned by its sailors, and with soldiers on board, was seized under process of the United States' Court at San Diego, California, for a violation of our neutrality laws. While in the custody of an officer of the Court the vessel was forcibly wrested from his control, and put to sea. It would have been inconsistent with the dignity and self-respect of this Government not to have insisted that the *Itata* should be returned to San Diego to abide the judgment of the Court. This was so clear to the Junta of the Congressional party established at Iquique that, before the arrival of the *Itata* at that port, the Secretary of Foreign Relations of the Provisional Government addressed to Rear-Admiral Brown, commanding the United States' naval forces, a communication from which the following is an extract:—

"The Provisional Government has learned by the cablegrams of the Associated Press that the transport *Itata*, detained in San Diego by order of the United States for taking on board munitions of war, and in possession of the Marshal, left the port, carrying on board this official, who was landed at a point near the coast, and then continued her voyage. . . . If this news be correct, this Government would deplore the conduct of the *Itata*, and, as an evidence that it is not disposed to support or agree to the infraction of the laws of the United States, the Undersigned takes advantage of the personal relations you have been good enough to maintain with him since your arrival in this port to declare to you that as soon as she is within reach of our orders his Government will put the *Itata*, with the arms and munitions she took on board in San Diego, at the disposition of the United States."

A trial in the District Court of the United States for the southern district of California has recently resulted in a decision holding, among other things, that, inasmuch as the Congressional party had not been recognized as a belligerent, the acts done in its interest could not be a violation of our neutrality laws. From this judgment the United States has appealed, not that the condemna-

tion of the vessel is a matter of importance, but that we may know what the present state of our law is; for if this construction of Statute is correct, there is obvious necessity for revision and amendment.

During the progress of the war in Chile this Government tendered its good offices to bring about a peaceful adjustment, it was at one time hoped that a good result might be reached; in this we were disappointed.

The instructions to our naval officers and to our Ministers at Santiago, from the first to the last of this struggle, enjoined upon them the most impartial treatment and absolute non-interference. I am satisfied that these instructions were observed, and that our Representatives were always watchful to use their influence impartially in the interest of humanity, and on more than one occasion did so effectively. We could not forget, however, that this Government was in diplomatic relations with the then established Government of Chile, as it is now in such relations with the successful Government. I am quite sure that President Montt, who, under circumstances of promise for the peace of Chile, been installed as President of that Republic, will not desire that, in the unfortunate event of any revolt against his authority, the policy of our Government should be other than that which we have repeatedly observed. No official complaint of the conduct of our Ministers or of our naval officers during the struggle has been presented to the Government; and it is a matter of regret that so many of our people should have given ear to unofficial charges and complaints that manifestly had their origin in rival interests, and in a wish to pervert the relations of the United States with Chile.

The collapse of the Government of Balmaceda brought about a condition which is unfortunately too familiar in the history of Central and South American States. With the overthrow of the Balmaceda Government, he and many of his Councillors and officers became at once fugitives for their lives, and appealed to the commanding officers of the foreign naval vessels in the harbour of Valparaiso and to the resident foreign Ministers at Santiago for asylum. This asylum was freely given, according to my information, by the naval vessels of several foreign Powers, and by several of the Legations at Santiago. The American Minister, as well as his colleagues, acting upon the impulses of humanity, extended asylum to political refugees whose lives were in peril. I have been willing to direct the surrender of such of these persons as were still in the American Legation without suitable conditions.

It is believed that the Government of Chile is not in a position in view of the precedents with which it has been connected to broadly deny the right of asylum, and the correspondence has

thus far presented any such denial. The treatment of our Minister for a time was such as to call for a decided protest, and it was very gratifying to observe that unfriendly measures, which were undoubtedly the result of the prevailing excitement, were at once rescinded or suitably relaxed.

On the 16th October an event occurred in Valparaiso so serious and tragic in its circumstances and results as to very justly excite the indignation of our people and to call for prompt and decided action on the part of this Government. A considerable number of the sailors of the United States' steam-ship *Baltimore*, then in the harbour of Valparaiso, being upon shore leave, and unarmed, were assaulted by armed men nearly simultaneously in different localities in the city. One petty officer was killed outright, and seven or eight seamen were seriously wounded, one of whom has since died. So savage and brutal was the assault that several of our sailors received more than two, and one as many as eighteen stab wounds. An investigation of the affair was promptly made by a Board of Officers of the *Baltimore*, and their report shows that these assaults were unprovoked, that our men were conducting themselves in a peaceable and orderly manner, and that some of the police of the city took part in the assault and used their weapons with fatal effect, while a few others, with some well-disposed citizens, endeavoured to protect our men. Thirty-six of our sailors were arrested, and some of them, while being taken to prison, were cruelly beaten and maltreated. The fact that they were all discharged, no criminal charge being lodged against any one of them, shows very clearly that they were innocent of any breach of the peace.

So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to these men as sailors of the United States, wearing the uniform of their Government, and not in any individual act or personal animosity. The attention of the Chilean Government was at once called to this affair, and a statement of the facts obtained by the investigation we had conducted was submitted, accompanied by a request to be advised of any other or qualifying facts in the possession of the Chilean Government that might tend to relieve this affair of the appearance of an insult to this Government. The Chilean Government was also advised that if such qualifying facts did not exist, this Government would confidently expect full and prompt reparation.

It is to be regretted that the reply of the Secretary for Foreign Affairs of the Provisional Government was couched in an offensive tone. To this no response has been made. This Government is now awaiting the result of an investigation which has been conducted by the Criminal Court at Valparaiso. It is reported

unofficially that the investigation is about completed, and expected that the result will soon be communicated to this Government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed, or further need of delay intervene, I will, by a Special Message, bring this matter again to the attention of Congress for such action as may be necessary. The entire correspondence with the Government of Chile will at an early day be submitted to Congress.

I renew the recommendation of my Special Message, dated 16th January, 1890, for the adoption of the necessary legislation to enable this Government to apply in the case of Sweden and Norway the same rule in respect to the levying of tonnage dues as is claimed and secured to the shipping of the United States in 1827, under Article VIII of the Treaty of 1827.

The adjournment of the Senate without action on the proposed Acts for the suppression of the Slave Traffic in Africa and for the reform of the Revenue Tariff of the Independent State of Congo left this Government unable to exchange those Acts on the date fixed, the 2nd July, 1891. A *modus vivendi* has been concluded by which the power of the Congo State to levy duties on imports is left unimpaired, and by agreement of all the Signatories to the General Slave Trade Act, the time for the exchange of ratifications on the part of the United States has been extended to the 1st February, 1892.

The late outbreak against foreigners in various parts of the Chinese Empire has been a cause of deep concern in view of the numerous establishments of our citizens in the interior of that country. This Government can do no less than insist upon the continuance of the protective and punitive measures which the Chinese Government has heretofore applied. No effort will be omitted to protect our citizens peaceably sojourning in China, but recent unofficial information indicates that what was at first regarded as an outbreak of mob violence against foreigners has assumed the larger form of an insurrection against public order.

The Chinese Government has declined to receive Mr. Blaine as the Minister of the United States, on the ground that, as a participant, while a Senator, in the enactment of the existing legislation against the introduction of Chinese labourers, he has become unfriendly and objectionable to China. I have felt constrained to point out to the Chinese Government the untenability of this position, which seems to rest as much on the unacceptability of our legislation as on that of the person chosen, and which, if admitted, would practically debar the selection of any Representative so long as the existing laws remain in force.

You will be called upon to consider the expediency of making special provision by law for the temporary admission of some Chinese artizans and labourers in connection with the exhibit of Chinese industries at the approaching Columbian Exposition. I regard it as desirable that the Chinese exhibit be facilitated in every proper way.

A question has arisen with the Government of Spain touching the rights of American citizens in the Caroline Islands. Our citizens there, long prior to the confirmation of Spain's claim to the islands, had secured by settlement and purchase certain rights, to the recognition and maintenance of which the faith of Spain was pledged. I have had reason within the past year very strongly to protest against the failure to carry out this pledge on the part of His Majesty's Ministers, which has resulted in great injustice and injury to the American residents.

The Government and people of Spain propose to celebrate the 400th anniversary of the discovery of America by holding an exposition at Madrid, which will open on the 12th September and continue until the 31st December, 1892. A cordial invitation has been extended to the United States to take part in this commemoration, and, as Spain was one of the first nations to express the intention to participate in the World's Columbian Exposition at Chicago, it would be very appropriate for this Government to give this invitation its friendly promotion.

Surveys for the connecting links of the projected Intercontinental Railway are in progress, not only in Mexico, but at various points along the course mapped out. Three surveying parties are now in the field under the direction of the Commission. Nearly 1,000 miles of the proposed road have been surveyed, including the most difficult part, that through Ecuador and the southern part of Colombia. The reports of the engineers are very satisfactory, and show that no insurmountable obstacles have been met with.

On the 12th November, 1884,* a Treaty was concluded with Mexico reaffirming the boundary between the two countries as described in the Treaties of the 2nd February, 1848,† and the 30th December, 1853.‡ On the 1st March, 1889,§ a further Treaty was negotiated to facilitate the carrying out of the principles of the Treaty of 1884 and to avoid the difficulties occasioned by reason of the changes and alterations that take place from natural causes in the Rio Grande and Colorado Rivers in the portions thereof constituting the boundary-line between the two Republics. The International Boundary Commission, provided for by the Treaty of 1889,

* Vol. LXXV, page 904.

‡ Vol. XLII, page 724.

† Vol. XXXVII, page 567.

§ Vol. LXXXI, page 739.

to have exclusive jurisdiction of any question that may arise been named by the Mexican Government. An appropriation necessary to enable the United States to fulfil its Treaty obligation in this respect.

The death of King Kalakaua in the United States affords an occasion to testify our friendship for Hawaii by conveying the King's body to his own land in a naval vessel with all due honours. The Government of his successor, Queen Liliuokalani, is seeking to promote closer commercial relations with the United States. Views for the much-needed submarine cable from our Pacific coast to Honolulu are in progress, and this enterprise should have the suitable promotion of the two Governments. I strongly recommend that provision be made for improving the harbour of Pearl Harbor and equipping it as a naval station.

The Arbitration Treaty formulated by the International American Conference lapsed by reason of the failure to exchange ratifications fully within the limit of time provided; but several of the Governments concerned have expressed a desire to save this important result of the Conference by an extension of the period. In my judgment, incumbent upon the United States to conserve the influential initiative it has taken in this measure by ratifying the instrument and by advocating the proposed extension of the period for exchange. These views have been made known to the other Signatories.

This Government has found occasion to express, in a friendly spirit, but with much earnestness, to the Government of the United Kingdom its serious concern because of the harsh measures now being enforced against the Hebrews in Russia. By the revival of anti-Semitic feelings long in abeyance, great numbers of those unfortunate people have been constrained to abandon their homes and leave the Empire for the reason of the impossibility of finding subsistence within the limits to which it is sought to confine them. The immigration of these people to the United States—many other countries being closed to them—is largely increasing, and is likely to assume proportions which may make it difficult to find homes and employment for them here, and to seriously affect the labour market. It is estimated that over 1,000,000 will be forced from Russia within a few years. The Hebrew is never a beggar; he has always kept the law—likened to a dog on a leash—often under severe and oppressive civil restrictions. It is true that no race, sect, or class has more fully cared for its own interests than the Hebrew race. But the sudden transfer of such a multitude under conditions that tend to strip them of their small accumulations and to depress their energies and courage, is neither good for them nor for us.

The banishment, whether by direct decree or by not less c

indirect methods, of so large a number of men and women is not a local question. A decree to leave one country is, in the nature of things, an order to enter another—some other. This consideration, as well as the suggestions of humanity, furnishes ample ground for the remonstrances which we have presented to Russia, while our historic friendship for that Government cannot fail to give the assurance that our representations are those of a sincere well-wisher.

The Annual Report of the Maritime Canal Company of Nicaragua shows that much costly and necessary preparatory work has been done during the year in the construction of shops, railroad tracks, and harbour-piers and breakwaters, and that the work of canal construction has made some progress.

I deem it to be a matter of the highest concern to the United States that this canal, connecting the waters of the Atlantic and Pacific Oceans, and giving to us a short water communication between our ports upon those two great seas, should be speedily constructed, and at the smallest practicable limit of cost. The gain in freights to the people and the direct saving to the Government of the United States in the use of its naval vessels would pay the entire cost of this work within a short series of years. The Report of the Secretary of the Navy shows the saving in our naval expenditures which would result.

The Senator from Alabama (Mr. Morgan), in his argument upon this subject before the Senate at the last Session, did not over-estimate the importance of this work when he said that "the canal is the most important subject now connected with the commercial growth and progress of the United States."

If this work is to be promoted by the usual financial methods and without the aid of this Government, the expenditures, in its interest-bearing securities and stocks, will probably be twice the actual cost. This will necessitate higher tolls and constitute a heavy and altogether needless burden upon our commerce and that of the world. Every dollar of the bonds and stock of the Company should represent a dollar expended in the legitimate and economical prosecution of the work. This is only possible by giving to the bonds the guaranty of the United States' Government. Such a guaranty would secure the ready sale at par of a 3 per Cent. bond, from time to time, as the money was needed. I do not doubt that, built upon these business methods, the canal would, when fully inaugurated, earn its fixed charges and operating expenses. But if its bonds are to be marketed at heavy discounts and every bond sold is to be accompanied by a gift of stock, as has come to be expected by investors in such enterprises, the traffic will be seriously burdened to pay interest and dividends. I am quite willing to recom-

mend Government promotion in the prosecution of a work where no other means offered for securing its completion, is of such transcendent interest that the Government should, in my opinion, secure it by direct appropriations from its Treasury.

A guaranty of the bonds of the Canal Company to an amount necessary to the completion of the canal could, I think, be so arranged as not to involve any serious risk of ultimate loss. The things to be carefully guarded are the completion of the work within the limits of the guaranty, the subrogation of the United States to the rights of the first-mortgage bondholders for any amounts it may have to pay, and in the meantime a control of the stock of the Company as a security against mismanagement and loss. I sincerely hope that neither party nor sectional lines will be allowed to come upon this great American project, so full of interest to the people of all our States and so influential in its effects upon the prestige and prosperity of our common country.

The Island of Navassa, in the West Indian group, has, under the provisions of Title 72 of the Revised Statutes, been recognized by the President as appertaining to the United States. It contains guano deposits, is owned by the Navassa Phosphate Company, and is occupied solely by its employés. In September 1889 a riot took place among these labourers, resulting in the killing of one of the agents of the Company, caused, as the labourers claim, by cruel treatment. These men were arrested and tried in the United States' Court at Baltimore, under section 5576 of the Statutes, referred to, as if the offences had been committed on board a merchant-vessel of the United States on the high seas. The man appeared on the trial, and otherwise came to me, such evidence as to the bad treatment of the men that, in consideration of this and the fact that the men had no access to any public officer or Tribunal for protection or the redress of their wrongs, I commuted the sentences that had been passed by the Court upon three of the men. In April last my attention was again called to this island, and to the unregulated condition of things there, by a letter from a coloured labourer, who complained that he was wrongfully detained upon the island by the Phosphate Company after the expiration of his contract of service. A naval vessel was sent to examine into the condition of this man and generally into the condition of things on the island. It was found that the labourer referred to had been detained beyond the contract limit, and that a condition of revolt again existed among the labourers. A Board of naval officers reported, among other things, as follows:—

“ We would desire to state further that the discipline maintained on the island seems to be that of a convict establishment, without comforts and cleanliness, and that, until more attention is paid

the shipping of labourers, by placing it under Government supervision to prevent misunderstanding and misrepresentation, and until some amelioration is shown in the treatment of the labourers, these disorders will be of constant occurrence."

I recommend legislation that shall place labour contracts upon this and other islands having the relation that Navassa has to the United States under the supervision of a Court Commissioner, and that shall provide, at the expense of the owners, an officer to reside upon the islands with power to judge and adjust disputes and to enforce a just and humane treatment of the employés. It is inexcusable that American labourers should be left within our own jurisdiction without access to any Government officer or Tribunal for their protection and the redress of their wrongs.

International copyright has been secured, in accordance with the conditions of the Act of the 3rd March, 1891,* with Belgium, France, Great Britain and the British possessions, and Switzerland, the laws of those countries permitting to our citizens the benefit of copyright on substantially the same basis as to their own citizens or subjects. With Germany a special Convention has been negotiated upon this subject, which will bring that country within the reciprocal benefits of our legislation.

The general interest in the operations of the Treasury Department has been much augmented during the last year by reason of the conflicting predictions, which accompanied and followed the Tariff and other legislation of the last Congress affecting the revenue, as to the results of this legislation upon the Treasury and upon the country. On the one hand, it was contended that imports would so fall off as to leave the Treasury bankrupt, and that the prices of articles entering into the living of the people would be so enhanced as to disastrously affect their comfort and happiness, while on the other it was argued that the loss to the revenue, largely the result of placing sugar on the free list, would be a direct gain to the people; that the prices of the necessities of life, including those most highly protected, would not be enhanced; that labour would have a larger market and the products of the farm advanced prices; while the Treasury surplus and receipts would be adequate to meet the appropriations, including the large exceptional expenditures for the refunding to the States of the direct tax and the redemption of the 4½ per Cent. bonds.

It is not my purpose to enter at any length into a discussion of the effects of the legislation to which I have referred; but a brief examination of the statistics of the Treasury and a general glance at the state of business throughout the country will, I think, satisfy

any partial inquirer that its results have disappointed the prophecies of its opponents and in a large measure realized hopeful predictions of its friends. Rarely, if ever before, in history of the country has there been a time when the produce of one day's labour or the product of one farmed acre would purchase so large an amount of those things that enter into the living of masses of the people. I believe that a full test will develop that the Tariff Act of the 51st Congress is very favourable in its average effect upon the prices of articles entering into common use.

During the twelve months from the 1st October, 1890, to the 30th September, 1891, the total value of our foreign commerce (imports and exports combined) was 1,747,806,406 dollars, which was the largest of any year in the history of the United States. The largest in any previous year was in 1890, when our commerce amounted to 1,647,139,093 dollars, and the last year exceeds this enormous aggregate by over one hundred millions. It is interesting, and some will be surprising, to know that during the year ending 30th September, 1891, our imports of merchandize amounted to 824,715,270 dollars, which was an increase of more than eleven million dollars over the value of the imports of the corresponding months of the preceding year, when the imports of merchandize were unusually large in anticipation of the Tariff legislation then pending. The average annual value of the imports of merchandize for the ten years from 1881 to 1890 was 692,186,522 dollars. During the year ending the 30th September, 1891, this average was exceeded by 132,528,469 dollars.

The value of free imports during the twelve months ending 30th September, 1891, was 118,092,387 dollars more than the value of free imports during the corresponding twelve months of the preceding year, and there was during the same period a decrease of 106,844 dollars in the value of imports of dutiable merchandize. The percentage of merchandize admitted free of duty during the year which I have referred, the first under the new Tariff, was 41.4, while during the preceding twelve months, under the old Tariff, the percentage was 34.27, an increase of 13.91 per cent. If we take the six months ending the 30th September last, which covers the period during which sugars have been admitted free of duty, the percentage of value of merchandize imported free of duty is found to be 51.4, which is a larger percentage of free imports than during any fiscal year in the history of the Government.

If we turn to exports of merchandize the statistics are full of gratification. The value of such exports of merchandize for the twelve months ending the 30th September, 1891, was 923,091,115 dollars, while for the corresponding previous twelve months it was 860,177,115 dollars, an increase of 62,914,021 dollars, which

nearly three times the average annual increase of exports of merchandize for the preceding twenty years ; this exceeds in amount and value the exports of merchandize during any year in the history of the Government. The increase in the value of exports of agricultural products during the year referred to over the corresponding twelve months of the prior year was 45,846,197 dollars, while the increase in the value of exports of manufactured products was 16,838,240 dollars.

There is certainly nothing in the condition of trade, foreign or domestic, there is certainly nothing in the condition of our people of any class, to suggest that the existing Tariff and revenue legislation bears oppressively upon the people or retards the commercial development of the nation. It may be argued that our condition would be better if Tariff legislation were upon a free-trade basis ; but it cannot be denied that all the conditions of prosperity and of general contentment are present in a larger degree than ever before in our history, and that, too, just when it was prophesied they would be in a worse state. Agitation for radical changes in tariff and financial legislation cannot help, but may seriously impede, business, to the prosperity of which some degree of stability in legislation is essential.

I think there are conclusive evidences that the new Tariff has created several great industries which will, within a few years, give employment to several hundred thousand American working men and women. In view of the somewhat overcrowded condition of the labour market of the United States, every patriotic citizen should rejoice at such a result.

The Report of the Secretary of the Treasury shows that the total receipts of the Government, from all sources, for the fiscal year ending the 30th June, 1891, were 458,544,233 dol. 3 c., while the expenditures for the same period were 421,304,470 dol. 46 c., leaving a surplus of 37,239,762 dol. 57 c.

The receipts of the fiscal year ending the 30th June, 1892, actual and estimated, are 433,000,000 dollars and the expenditures 409,000,000 dollars. For the fiscal year ending the 30th June, 1893, the estimated receipts are 455,336,350 dollars, and the expenditures 441,300,093 dollars.

Under the Law of the 14th July, 1890, the Secretary of the Treasury has purchased (since the 13th August) during the fiscal year 48,393,118 ounces of silver bullion at an average cost of 1.045 dollars per ounce. The highest price paid during the year was 1.2025 dollars, and the lowest, .9636 dollar. In exchange for this silver bullion there have been issued 50,577,498 dollars of the Treasury notes authorized by the Act. The lowest price of silver reached during the fiscal year was .9636 dollar on the 22nd

April, 1891 ; but on the 1st November the market price was \$96 dollar, which would give to the silver dollar a bullion value of 74½ cents.

Before the influence of the prospective silver legislation was felt in the market, silver was worth in New York about \$955 dollar per ounce. The ablest advocates of free coinage in the last Congress were most confident in their predictions that the purchases of silver bullion required by the law would at once bring the price of silver to 1.2929 dollars per ounce, which would make the bullion value of a dollar 100 cents, and hold it there. The prophecies of the anti-silver men of disasters to result from the coinage of 2,000,000 dollars per month were not wider of the mark. The friends of free silver are not agreed, I think, as to the cause which has brought their hopeful predictions to naught. Some facts are known. The exports of silver from London to India during the first six months of this calendar year fell off over 50 per cent., or 17,200,000 dollars, compared with the same months of the preceding year. The exports of domestic silver bullion from this country, which averaged for the last ten years over 17,000,000 dollars, fell in the last fiscal year to 13,797,391 dollars ; while, for the first time in recent years, the imports of silver into this country exceeded the exports by the sum of 2,745,365 dollars. In the previous year the net exports of silver from the United States amounted to 8,540,000 dollars. The production of the United States increased from 50,000,000 ounces in 1889 to 54,500,000 ounces in 1890. The Government is now buying and putting aside annually 54,000,000 ounces, of which, allowing for 7,140,000 ounces of new bullion used in the arts, is 6,640,000 ounces more than our domestic product available for coinage.

I hope the depression in the price of silver is temporary, and that a further trial of this legislation will more favourably affect the market. That the increased volume of currency thus supplied for the use of the people was needed, and that beneficial results upon trade and prices have followed this legislation, I think, must be very clear to every one ; nor should it be forgotten that for every dollar of silver notes issued a full dollar's worth of silver bullion is at the disposal of the depositor, deposited in the Treasury as a security for its redemption. Upon this subject, as upon the Tariff, my recommendation is that the existing laws be given a full trial, and that our business interests be spared the distressing influence which threats of radical change always impart. Under existing legislation it is in the power of the Treasury Department to maintain that essential condition of national finance as well as of commercial prosperity—the parity of the use of the coin dollars and their paper representatives. I have the assurance that these powers would be freely and unhesitatingly

used has done much to produce and sustain the present favourable business conditions.

I am still of the opinion that the free coinage of silver under existing conditions would disastrously affect our business interests at home and abroad. We could not hope to maintain an equality in the purchasing power of the gold and silver dollar in our own markets, and in foreign trade the stamp gives no added value to the bullion contained in coins. The producers of the country, its farmers and labourers, have the highest interest that every dollar, paper or coin, issued by the Government shall be as good as any other. If there is one less valuable than another its sure and constant errand will be to pay them for their toil and for their crops. The money-lender will protect himself by stipulating for payment in gold, but the labourer has never been able to do that. To place business upon a silver basis would mean a sudden and severe contraction of the currency by the withdrawal of gold and gold notes, and such an unsettling of all values as would produce a commercial panic. I cannot believe that a people so strong and prosperous as ours will promote such a policy.

The producers of silver are entitled to just consideration, but they should not forget that the Government is now buying and putting out of the market what is the equivalent of the entire product of our silver mines. This is more than they themselves thought of asking two years ago. I believe it is the earnest desire of a great majority of the people, as it is mine, that a full coin use shall be made of silver just as soon as the co-operation of other nations can be secured and a ratio fixed that will give circulation equally to gold and silver. The business of the world requires the use of both metals, but I do not see any prospect of gain, but much of loss, by giving up the present system, in which a full use is made of gold and a large use of silver, for one in which silver alone will circulate. Such an event would be at once fatal to the further progress of the silver movement. Bimetallism is the desired end, and the true friends of silver will be careful not to overrun the goal and bring in silver monometallism, with its necessary attendants, the loss of our gold to Europe and the relief of the pressure there for a larger currency. I have endeavoured by the use of official and unofficial agencies to keep a close observation of the state of public sentiment in Europe upon this question, and have not found it to be such as to justify me in proposing an international Conference. There is, however, I am sure, a growing sentiment in Europe in favour of a larger use of silver, and I know of no more effectual way of promoting this sentiment than by accumulating gold here. A scarcity of gold in the European reserves will be the most persuasive argument for the use of silver.

The exports of gold to Europe, which began in February and continued until the close of July, aggregated over 70,000,000 dollars. The net loss of gold during the fiscal year was not over 68,000,000 dollars. That no serious monetary disturbance resulted was most gratifying, and gave to Europe fresh evidence of the strength and stability of our financial institutions. With the movement of crops the outflow of gold was speedily stopped, and a return set in. Up to the 1st December we had recovered of our gold loss at the port of New York 27,854,000 dollars, and are confidently believed that during the winter and spring this aggregate will be steadily and largely increased.

The presence of a large cash surplus in the Treasury has for many years been the subject of much unfavourable criticism, and has furnished an argument to those who have desired to place a Tariff upon a purely revenue basis. It was agreed by all that the withdrawal from circulation of so large an amount of money was an embarrassment to the business of the country and made necessary the intervention of the Department at frequent intervals to repress threatened monetary panics. The surplus on the 1st March, 1891, was 183,827,190 dol. 29 c. The policy of applying this surplus to the redemption of the interest-bearing securities of the United States was thought to be preferable to that of depositing it without interest in selected national banks. There have been redeemed since the date last mentioned of interest-bearing securities 259,079,000 dollars, resulting in a reduction of the annual interest charge of 11,684,675 dollars. The money which had been deposited in banks without interest has been gradually withdrawn and used in the redemption of bonds.

The result of this policy, of the silver legislation, and of the refunding of the $4\frac{1}{2}$ per Cent. bonds, has been a large increase in the money in circulation. At the date last named the circulation was 1,404,205,896 dollars, or 23.03 dollars per capita; while on the 1st day of December, 1891, it had increased to 1,577,262,070 dollars, or 24.38 dollars per capita. The offer of the Secretary of the Treasury to the holders of the $4\frac{1}{2}$ per Cent. bonds to extend the time of redemption, at the option of the Government, at an interest of 2 per cent., was accepted by the holders of about one-half the amount, and the unextended bonds are being redeemed on presentation.

The Report of the Secretary of War exhibits the results of an intelligent, progressive, and business-like administration of a Department which has been too much regarded as one of mere routine. The separation of Secretary Proctor from the Department by reason of his appointment as a Senator from the State of Vermont is a source of great regret to me and to his colleagues in the Cabinet.

as I am sure it will be to all those who have had business with the Department while under his charge.

In the administration of army affairs some especially good work has been accomplished. The efforts of the Secretary to reduce the percentage of desertions by removing the causes that promoted it have been so successful as to enable him to report for the last year a lower percentage of desertion than has been before reached in the history of the army. The resulting money saving is considerable, but the improvement in the *morale* of the enlisted men is the most valuable incident of the reforms which have brought about this result.

The work of securing sites for shore batteries for harbour defence, and the manufacture of mortars and guns of high power to equip them, have made good progress during the year. The preliminary work of tests and plans, which so long delayed a start, is now out of the way. Some guns have been completed, and with an enlarged shop and a more complete equipment at Watervliet, the army will soon be abreast of the navy in gun construction. Whatever unavoidable causes of delay may arise, there should be none from delayed or insufficient appropriations. We shall be greatly embarrassed in the proper distribution and use of naval vessels until adequate shore defences are provided for our harbours.

I concur in the recommendation of the Secretary that the three-battalion organization be adopted for the infantry. The adoption of a smokeless powder and of a modern rifle equal in range, precision, and rapidity of fire to the best now in use will, I hope, not be longer delayed.

The project of enlisting Indians and organizing them into separate companies upon the same basis as other soldiers was made the subject of very careful study by the Secretary, and received my approval. Seven companies have been completely organized, and seven more are in process of organization. The results of six months' training have more than realized the highest anticipations. The men are readily brought under discipline, acquire the drill with facility, and show great pride in the right discharge of their duties, and perfect loyalty to their officers, who declare that they would take them into action with confidence. The discipline, order, and cleanliness of the military posts will have a wholesome and elevating influence upon the men enlisted, and through them upon their tribes, while a more friendly feeling for the whites and a greater respect for the Government will certainly be promoted.

The great work done in the record and pension division of the War Department by Major Ainsworth, of the Medical Corps, and the clerks under him, is entitled to honourable mention. Taking

up the work with nearly 41,000 cases behind, he closed the fiscal year without a single case left over, though the new cases increased 52 per cent. in number over the previous year by reason of the pension legislation of the last Congress.

I concur in the recommendation of the Attorney-General of the right in felony cases to a review by the Supreme Court limited. It would seem that personal liberty would have a guarantee if the right of review in cases involving only fine and imprisonment were limited to the Circuit Court of Appeals, and a constitutional question should in some way be involved.

The Judges of the Court of Private Land Claims, provided by the Act of the 3rd March, 1891, have been appointed, and the Court organized. It is now possible to give early relief to communities long repressed in their development by unsettled titles, and to establish the possession and right of settlers whose lands have been rendered valueless by adverse and unfounded claims.

The Act of the 9th July, 1888, provided for the incorporation and management of a reform school for girls in the District of Columbia, but it has remained inoperative for the reason that no appropriation has been made for construction or maintenance. The need of such an institution is very urgent. Many girls could be saved from depraved lives by the wholesome influences and restrictions of such a school. I recommend that the necessary appropriation be made for a site and for construction.

The enforcement by the Treasury Department of the prohibition against the coming of Chinese to the United States has been effective as to such as seek to land from vessels entering our ports. The result has been to divert the travel to vessels entering the ports of British Columbia, whence passage into the United States at obscure points along the Dominion boundary is easy. A considerable number of Chinese labourers have, during the past year, entered the United States from Canada and Mexico.

The officers of the Treasury Department and of the Department of Justice have used every means at their command to interfere with this immigration, but the impossibility of perfectly guarding the extended frontier is apparent. The Dominion Government collects a head tax of 50 dollars from every Chinaman entering Canada, and thus derives a considerable revenue from those who only use the route to reach a position of advantage to evade our exclusion laws. There seems to be satisfactory evidence that the business of passing Chinamen through Canada to the United States is organized and quite active. The Department of Justice has construed the law to require the return of any Chinaman found to be unlawfully in this country to China, as the country from which he came,

withstanding the fact that he came by way of Canada; but several of the District Courts have, in cases brought before them, overruled this view of the law, and decided that such persons must be returned to Canada. This construction robs the law of all effectiveness, even if the Decrees could be executed, for the men returned can the next day recross our border. But the only appropriation made is for sending them back to China, and the Canadian officials refuse to allow them to re-enter Canada without the payment of the 50 dollars head tax. I recommend such legislation as will remedy these defects in the law.

In previous Messages I have called the attention of Congress to the necessity of so extending the jurisdiction of the United States' Courts as to make triable therein any felony committed while in the act of violating a law of the United States. These Courts cannot have that independence and effectiveness which the Constitution contemplates so long as the felonious killing of Court officers, jurors, and witnesses in the discharge of their duties, or by reason of their acts as such, is only cognizable in the State Courts. The work done by the Attorney-General and the officers of his Department, even under the present inadequate legislation, has produced some notable results in the interest of law and order.

The Attorney-General, and also the Commissioners of the District of Columbia, call attention to the defectiveness and inadequacy of the laws relating to crimes against chastity in the District of Columbia. A stringent Code upon this subject has been provided by Congress for Utah, and it is a matter of surprise that the needs of this district should have been so long overlooked.

In the Report of the Postmaster-General some very gratifying results are exhibited, and many betterments of the service suggested. A perusal of the Report gives abundant evidence that the supervision and direction of the postal system have been characterized by an intelligent and conscientious desire to improve the service. The revenues of the Department show an increase of over five millions of dollars, with a deficiency for the year 1892 of less than four millions of dollars, while the estimate for the year 1893 shows a surplus of receipts over expenditures.

Ocean mail post-offices have been established upon the steamers of the North German Lloyd and Hamburg lines, saving, by the distribution on ship-board, from two to fourteen hours' time in the delivery of mail at the port of entry, and often much more than this in the delivery at interior places. So thoroughly has this system, initiated by Germany and the United States, evidenced its usefulness that it cannot be long before it is installed upon all the great ocean mail-carrying steam-ships.

Eight thousand miles of new postal service has been established

upon railroads; the car distribution to sub-stations in the great cities has been increased about 12 per cent., while the percentage of errors in distribution has, during the past year, been reduced one-half. An appropriation was given by the last Congress for the purpose of making some experiments in free delivery in the small cities and towns. The results of these experiments have been so satisfactory that the Postmaster-General recommends, and I concur in the recommendation, that the free delivery system be at once extended to towns of 5,000 population. His discussion of the inadequate facilities extended under our present system to rural communities, and his suggestions with a view to give these communities a fuller participation in the benefits of the postal service are worthy of your careful consideration. It is not just that the farmer, who receives his mail at a neighbouring town, should not only be compelled to send to the post-office for it, but to pay a considerable rent for a box in which to place it, or to wait his turn at a general-delivery window, while the city resident has his mail brought to his door. It is stated that over 54,000 neighbourhoods are, under the present system, receiving mail at post-offices where money orders and postal notes are not issued. The extension of this system to these communities is especially desirable, as the patrons of such offices are not possessed of the other facilities offered in more populous communities for the transmission of large sums of money.

I have, in a Message to the preceding Congress, expressed my views as to a modified use of the telegraph in connection with the postal service.

In pursuance of the Ocean Mail Law of the 3rd March, 1845, and after a most careful study of the whole subject and frequent conferences with ship-owners, Boards of Trade, and others, advertisements were issued by the Postmaster-General for 53 lines of ocean mail service—10 to Great Britain and the Continent, 27 to South America, 3 to China and Japan, 4 to Australia and the Pacific Islands, 7 to the West Indies, and 2 to Mexico. It was not, of course, expected that bids for all these lines would be received, or that service upon them all would be contracted for. It was intended, in furtherance of the Act, to secure as many new lines as possible, while including in the list most or all of the foreign lines now occupied by American ships. It was hoped that a line to England, and perhaps one to the Continent would be secured, the outlay required to equip such lines wholly with new ships of the first class, and the difficulty of establishing new lines in competition with those already established, deterred bidders whose interest had been enlisted. It is hoped that a way may yet be found of overcoming these difficulties. The Brazil Steam-ship Company,

reason of a miscalculation as to the speed of its vessels, was not able to bid under the terms of the advertisement. The policy of the Department was to secure from the established lines an improved service as a condition of giving to them the benefits of the Law. This in all instances has been attained. The Postmaster-General estimates that an expenditure in American ship-yards of about ten millions of dollars will be necessary to enable the bidders to construct the ships called for by the service which they have accepted. I do not think there is any reason for discouragement, or for any turning back from the policy of this legislation. Indeed, a good beginning has been made, and as the subject is further considered and understood by capitalists and shipping people, new lines will be ready to meet future proposals, and we may date from the passage of this Law the revival of American shipping interests and the recovery of a fair share of the carrying trade of the world. We were receiving for foreign postage nearly two millions of dollars under the old system, and the outlay for ocean mail service did not exceed 600,000 dollars per annum. It is estimated by the Postmaster-General that if all the contracts proposed are completed, it will require 247,354 dollars for this year, in addition to the appropriation for sea and inland postage already in the Estimate, and that for the next fiscal year, ending the 30th June, 1893, there would probably be needed about 560,000 dollars.

The Report of the Secretary of the Navy shows a gratifying increase of new naval vessels in commission. The *Newark*, *Concord*, *Bennington*, and *Miantonomoh* have been added during the year, with an aggregate of something more than 11,000 tons. Twenty-four war-ships of all classes are now under construction in the navy-yards and private shops, but while the work upon them is going forward satisfactorily, the completion of the more important vessels will yet require about a year's time. Some of the vessels now under construction, it is believed, will be triumphs of naval engineering. When it is recollected that the work of building a modern navy was only initiated in the year 1883, that our naval constructors and shipbuilders were practically without experience in the construction of large iron or steel ships, that our engine shops were unfamiliar with great marine engines, and that the manufacture of steel forgings for guns and plates was almost wholly a foreign industry, the progress that has been made is not only highly satisfactory, but furnishes the assurance that the United States will before long attain in the construction of such vessels, with their engines and armaments, the same pre-eminence which it attained when the best instrument of ocean commerce was the clipper ship, and the most impressive exhibit of naval power the old wooden three-decker man-of-war. The officers of the navy and the

proprietors and engineers of our great private shops have responded with wonderful intelligence and professional zeal to the confidence expressed by Congress in its liberal legislation. We have now in Washington a gun-shop, organized and conducted by naval officers, that in its system, economy, and product is unexcelled. Experiments with armour-plate have been conducted during the year with most important results. It is now believed that a plate of this resisting power than any in use has been found, and that the experiments have demonstrated that cheaper methods of manufacture than heretofore thought necessary can be used.

I commend to your favourable consideration the recommendations of the Secretary, who has, I am sure, given to them the most conscientious study. There should be no hesitation in proceeding to completing a navy of the best modern type, large enough to enable this country to display its flag in all seas for the protection of its citizens and of its extending commerce. The world needs the assurance of the peaceful purposes of the United States; but we shall probably be in the future more largely a competitor in the commerce of the world, and it is essential to the dignity of our nation, and to that peaceful influence which it should exercise in this hemisphere, that its navy should be adequate both upon the shores of the Atlantic and of the Pacific.

The Report of the Secretary of the Interior shows that a gratifying progress has been made in all of the bureaus which compose that complex and difficult Department.

The work in the Bureau of Indian Affairs was perhaps never so large as now, by reason of the numerous negotiations which have been proceeding with the tribes for a reduction of the reservations, with the incident labour of making allotments, and was never so carefully conducted. The provision of adequate school facilities for Indian children and the locating of adult Indians upon reservations involve the solution of the "Indian question." Everything relating to annuities, and tribal negotiations, with the agents, Inspectors, and Commissioners who distribute and conduct them—passes away when the Indian has become a citizen, secure in his individual ownership of a farm from which he derives his subsistence by his own labour, protected by and subordinate to the laws which govern the white man, and provided by the General Government or by the local communities in which he lives with the means of educating his children. When an Indian becomes a citizen of an organized State or Territory, his relation to the General Government ceases, in great measure, to be that of a ward; but the General Government ought not at once to put upon the State or Territory the burden of the education of his children. It has been my thought that the Government schools and school buildings upon the res-

would be absorbed by the school systems of the States and Territories; but, as it has been found necessary to protect the Indian against the compulsory alienation of his land by exempting it from taxation for a period of twenty-five years, it would seem to be that the General Government, certainly where there are tribal lands in its possession, should pay to the school fund of the State an amount equivalent to the local school tax upon the property of the Indian. It will be noticed from the Report of the Commissioner of Indian Affairs that already some contracts have been made for district schools for the education of Indian children. There is no advantage, I think, in bringing the Indian children into mixed schools. This process will be gradual, and in the meantime the present educational provisions and arrangements, the result of the experience of those who have been charged with this work, should be continued. This will enable those religious bodies that have undertaken the work of Indian education with so much zeal, and with results so restraining and beneficent, to place their institutions in new and useful relations to the Indian and to his white neighbours.

The outbreak among the Sioux, which occurred in December 1890, is as to its causes and incidents fully reported upon by the War Department and the Department of the Interior. That these Indians had some just complaints, especially in the matter of the restriction of the appropriation for rations and in the delays attending the enactment of laws to enable the Department to perform the engagements entered into with them, is probably true; but the fact that the tribes are naturally warlike and turbulent, and their warriors excited by their medicine-men and Chiefs, who preached the coming of an Indian Messiah who was to give them power to destroy their enemies. In view of the alarm that prevailed among the white settlers near the reservation and of the fatal consequences that would have resulted from an Indian incursion, I placed at the disposal of General Miles, commanding the Division of the Missouri, such forces as were thought by him to be required. He is entitled to the credit of having given thorough protection to the settlers and of bringing the hostiles into subjection with the least possible loss of life.

The appropriation of 2,991,450 dollars for the Choctaws and Chickasaws, contained in the General Indian Appropriation Bill of 3d March, 1891, has not been expended, for the reason that I have not yet approved a release (to the Government) of the Indian lands mentioned. This matter will be made the subject of a special Message, placing before Congress all the facts which come to my knowledge.

The relation of the five civilized tribes now occupying the Indian

Territory to the United States is not, I believe, that best calculated to promote the highest advancement of these Indians. That there should be within our borders five independent States, having no relations, except those growing out of Treaties, with the Government of the United States, no representation in the National Legislature, its people not citizens, is a startling anomaly.

It seems to me to be inevitable that there shall be before long some organic changes in the relation of these people to the United States. What form these changes should take I do not think it desirable now to suggest, even if they were well defined in my own mind. They should certainly involve the acceptance of citizenship by the Indians and a representation in Congress. These Indians should have opportunity to present their claims and grievances upon the floor rather than, as now, in the lobby. If a Commission could be appointed to visit these tribes to confer with them in a friendly spirit upon this whole subject, even if no agreement were presently reached, the feeling of the tribes upon this question would be developed, and discussion would prepare the way for changes which must come sooner or later.

The good work of reducing the larger Indian reservations, by allotments in severalty to the Indians and the cession of the remaining lands to the United States for disposition under the Homestead Law, has been prosecuted during the year with energy and success. In September last I was enabled to open to settlement in the Territory of Oklahoma 900,000 acres of land, all of which was taken up by settlers in a single day. The rush for these lands was accompanied by a great deal of excitement, but was, happily, free from incidents of violence.

It was a source of great regret that I was not able to open at the same time the surplus lands of the Cheyenne and Arapahoe Reservation, amounting to about 3,000,000 acres, by reason of the insufficiency of the appropriation for making the allotments. Deserving and impatient settlers are waiting to occupy these lands, and I urgently recommend that a special deficiency appropriation be promptly made of the small amount needed, so that the allotments may be completed and the surplus lands opened in time to permit the settlers to get upon their homesteads in the early spring.

During the past summer the Cherokee Commission have completed arrangements with the Wichita, Kickapoo, and Tonkawa tribes, whereby, if the agreements are ratified by Congress, over 800,000 additional acres will be opened to settlement in Oklahoma.

The negotiation for the release by the Cherokees of their claim to the Cherokee strip has made no substantial progress, so far as the Department is officially advised, but it is still hoped that the cession of this large and valuable tract may be secured. The price

which the Commission was authorized to offer— $1\frac{1}{4}$ dollar per acre—in my judgment, when all the circumstances as to title and the character of the lands are considered, a fair and adequate one, and should have been accepted by the Indians.

Since the 4th March, 1889, about 23,000,000 acres have been separated from Indian reservations and added to the public domain for the use of those who desired to secure free homes under our beneficent laws. It is difficult to estimate the increase of wealth which will result from the conversion of these waste lands into farms, but it is more difficult to estimate the betterment which will result to the families that have found renewed hope and courage in the ownership of a home and the assurance of a comfortable subsistence under free and healthful conditions. It is also gratifying to be able to feel, as we may, that this work has proceeded upon lines of justice towards the Indian, and that he may now, if he will, secure to himself the good influences of a settled habitation, the fruits of industry, and the security of citizenship.

Early in this Administration a special effort was begun to bring up the work of the General Land Office. By faithful work the arrearages have been rapidly reduced. At the end of the last fiscal year only 84,172 final agricultural entries remained undisposed of, and the Commissioner reports that, with the present force, the work can be fully brought up by the end of the next fiscal year.

Your attention is called to the difficulty presented by the Secretary of the Interior as to the administration of the Law of the 3rd March, 1891, establishing a Court of Private Land Claims. The small holdings intended to be protected by the Law are estimated to be more than 15,000 in number. The claimants are a most deserving class, and their titles are supported by the strongest equities. The difficulty grows out of the fact that the lands have largely been surveyed according to our methods, while the holdings, many of which have been in the same family for generations, are laid out in narrow strips a few rods wide upon a stream and running back to the hills for pasturage and timber. Provision should be made for numbering these tracts and lots, and for patenting them by such numbers, and without reference to section lines.

The administration of the Pension Bureau has been characterized during the year by great diligence. The total number of pensioners upon the roll on the 30th day of June, 1891, was 676,160. There were allowed during the fiscal year ending at that time 250,565 cases. Of this number, 102,387 were allowed under the Law of the 27th June, 1890. The issuing of certificates has been proceeding at the rate of about 30,000 per month, about 75 per cent. of these

being cases under the new Law. The Commissioner expresses the opinion that he will be able to carefully adjudicate and allow 350,000 claims during the present fiscal year. The appropriation for the payment of pensions for the fiscal year 1890-91 was 127,685,793 dol. 89 c. and the amount expended 118,530,649 dol. 25 c., leaving an unexpended surplus of 9,155,144 dol. 64 c.

The Commissioner is quite confident that there will be no call this year for a deficiency appropriation, notwithstanding the rapidity with which the work is being pushed. The mistake which has been made by many in their exaggerated estimates of the cost of pensions is in not taking account of the diminished value of first payments under the recent legislation. These payments, under the general Law, have been for many years very large, as the pensions, when allowed, dated from the time of filing the claim, and most of these claims had been pending for years. The first payments under the Law of June 1890 are relatively small, and, as the per cent. of these cases increases and that of the old cases diminishes, the annual aggregate of first payments is largely reduced. The Commissioner, under date of the 13th November, furnishes me with the statement that during the last four months 113,175 certificates were issued, 27,893 under the general Law and 85,282 under the Act of the 27th June, 1890. The average first payment during these four months was 131 dol. 85 c., while the average first payment upon cases allowed during the year ending the 30th June, 1891, was 239 dol. 33 c., being a reduction in the average first payments during these four months of 107 dol. 48 c.

The estimate for pension expenditures for the fiscal year ending the 30th June, 1893, is 144,956,000 dollars, which, after a careful examination of the subject, the Commissioner is of the opinion will be sufficient. While these disbursements to the disabled soldiers of the great civil war are large, they do not realize the exaggerated estimates of those who oppose this beneficent legislation. The Secretary of the Interior shows with great fulness the care that is taken to exclude fraudulent claims, and also the gratifying fact that the persons to whom these pensions are going are men who rendered not slight, but substantial, war service.

The Report of the Commissioner of Railroads shows that the total debt of the subsidized railroads to the United States was, on the 31st December, 1890, 112,512,613 dol. 6 c. A large part of this debt is now fast approaching maturity, with no adequate provision for its payment. Some policy for dealing with this debt, with a view to its ultimate collection, should be at once adopted. It is very difficult, well-nigh impossible, for so large a body as the Congress to conduct the necessary negotiations and investigations. I therefore recommend that provision be made for the appointment

of a Commission to agree upon and report a plan for dealing with this debt.

The work of the Census Bureau is now far in advance, and the great bulk of the enormous labour involved completed. It will be more strictly a statistical exhibit, and less encumbered by essays than its immediate predecessors. The methods pursued have been fair, careful, and intelligent, and have secured the approval of the statisticians, who have followed them with a scientific and non-partisan interest. The appropriations necessary to the early completion and publication of the authorized volumes should be given in time to secure against delays, which increase the cost and at the same time diminish the value of the work.

The Report of the Secretary exhibits, with interesting fulness, the condition of the territories. They have shared with the States the great increase in farm products, and are bringing yearly large areas into cultivation by extending their irrigation canals. This work is being done by individuals or local corporations, and without that system which a full preliminary survey of the water supply and of the irrigable lands would enable them to adopt. The future of the territories of New Mexico, Arizona, and Utah in their material growth, and in the increase, independence, and happiness of their people, is very largely dependent upon wise and timely legislation, either by Congress or their own Legislatures, regulating the distribution of the water supply furnished by their streams. If this matter is much longer neglected, private corporations will have unrestricted control of one of the elements of life, and the patentees of the arid lands will be tenants at will of the Water Companies.

The United States should part with its ownership of the water sources and the sites for reservoirs, whether to the States and Territories or to individuals or corporations, only upon conditions that will insure to the settlers their proper water supply upon equal and reasonable terms. In the Territories this whole subject is under the full control of Congress, and in the States it is practically so as long as the Government holds the title to the reservoir sites and water sources, and can grant them upon such conditions as it chooses to impose. The improvident granting of franchises of enormous value, without recompense to the State or Municipality from which they proceed and without proper protection of the public interests, is the most noticeable and flagrant evil of modern legislation. This fault should not be committed in dealing with a subject that will, before many years, affect so vitally thousands of our people.

The legislation of Congress for the repression of polygamy has, after years of resistance on the part of the Mormons, at last brought them to the conclusion that resistance is unprofitable and unavailing.

The power of Congress over this subject should not be surrendered until we have satisfactory evidence that the people of the State to be created would exercise the exclusive power of the State over this subject in the same way. The question is not whether these people now obey the laws of Congress against polygamy, but rather would they make, enforce, and maintain such laws themselves if absolutely free to regulate the subject? We cannot afford to experiment with this subject, for when a State is once constituted the act is final and any mistake irretrievable. No compact in the enabling Act could, in my opinion, be binding or effective.

I recommend that provision be made for the organization of a simple form of town government in Alaska, with power to regulate such matters as are usually in the States under municipal control. These local civil organizations will give better protection in some matters than the present skeleton territorial organization. Proper restrictions as to the power to levy taxes and to create debt should be imposed.

If the establishment of the Department of Agriculture was regarded by any one as a mere concession to the unenlightened demand of a worthy class of people, that impression has been most effectually removed by the great results already attained. Its home influence has been very great in disseminating agricultural and horticultural information; in stimulating and directing a further diversification of crops; in detecting and eradicating diseases of domestic animals; and, more than all, in the close and informal contact which it has established and maintains with the farmers and stock-raisers of the whole country. Every request for information has had prompt attention, and every suggestion merited consideration. The scientific corps of the Department is of a high order, and is pushing its investigations with method and enthusiasm.

The inspection by this Department of cattle and pork products intended for shipment abroad has been the basis of the success which has attended our efforts to secure the removal of the restrictions maintained by the European Governments.

For ten years protests and petitions upon this subject from the packers and stock-raisers of the United States have been directed against these restrictions, which so seriously limited our markets and curtailed the profits of the farm. It is a source of general congratulation that success has at last been attained, for the effects of an enlarged foreign market for these meats will be felt, not only by the farmer, but in our public finances and in every branch of trade. It is particularly fortunate that the increased demand for food products, resulting from the removal of the restrictions upon our meats and from the reciprocal trade arrangements to which I have referred, should have come at a time when the agricultural surplus

is so large. Without the help thus derived, lower prices would have prevailed. The Secretary of Agriculture estimates that the restrictions upon the importation of our pork products into Europe lost us a market for 20,000,000 dollars' worth of these products annually.

The grain crop of this year was the largest in our history—50 per cent. greater than that of last year—and yet the new markets that have been opened and the larger demand resulting from short crops in Europe have sustained prices to such an extent that the enormous surplus of meats and breadstuffs will be marketed at good prices, bringing relief and prosperity to an industry that was much depressed. The value of the grain crop of the United States is estimated by the Secretary to be this year 500,000,000 dollars more than last; of meats, 150,000,000 dollars more, and of all products of the farm, 700,000,000 dollars more. It is not inappropriate, I think, here to suggest that our satisfaction in the contemplation of this marvellous addition to the national wealth is unclouded by any suspicion of the currency by which it is measured, and in which the farmer is paid for the product of his fields.

The Report of the Civil Service Commission should receive the careful attention of the opponents, as well as the friends, of this reform. The Commission invites a personal inspection by Senators and Representatives of its records and methods; and every fair critic will feel that such an examination should precede a judgment of condemnation, either of the system or its administration. It is not claimed that either is perfect, but I believe that the law is being executed with impartiality, and that the system is incomparably better and fairer than that of appointments upon favour. I have during the year extended the classified service to include superintendents, teachers, matrons, and physicians in the Indian service. This branch of the service is largely related to educational and philanthropic work, and will obviously be the better for the change.

The heads of the several Executive Departments have been directed to establish at once an efficiency record as the basis of a comparative rating of the clerks within the classified service, with a view to placing promotions therein upon the basis of merit. I am confident that such a record, fairly kept and open to the inspection of those interested, will powerfully stimulate the work of the Departments, and will be accepted by all as placing the troublesome matter of promotions upon a just basis.

I recommend that the appropriations for the Civil Service Commission be made adequate to the increased work of the next fiscal year.

I have twice before urgently called the attention of Congress to the necessity of legislation for the protection of the lives of railroad employes, but nothing has yet been done. During the year ending

the 30th June, 1890, 369 brakemen were killed and 7,841 maimed while engaged in coupling cars. The total number of railroad employes killed during the year was 2,451, and the number injured, 22,390. This is a cruel and largely a needless sacrifice. The Government is spending nearly one million dollars annually to save the lives of shipwrecked seamen; every steam-vessel is rigidly inspected and required to adopt the most approved safety appliances. All this is good; but how shall we excuse the lack of interest and effort in behalf of this army of brave young men, who in our land commerce are being sacrificed every year by the continued use of antiquated and dangerous appliances? A law requiring of every railroad engaged in inter-State commerce the equipment each year of a given per cent. of its freight cars with automatic couplers and air brakes would compel an agreement between the roads as to the kind of brakes and couplers to be used, and would very soon and very greatly reduce the present fearful death-rate among railroad employes.

The method of appointment by the States of electors of President and Vice-President has recently attracted renewed interest by reason of a departure by the State of Michigan from the method which had become uniform in all the States. Prior to 1832 various methods had been used by the different States, and even by the same State. In some the choice was made by the Legislature; in others electors were chosen by districts; but more generally by the voters of the whole State upon a general ticket. The movement towards the adoption of the last-named method had an early beginning, and went steadily forward among the States, until in 1832 there remained but a single State, South Carolina, that had not adopted it. That State, until the civil war, continued to choose its electors by a vote of the Legislature, but, after the war, changed its method and conformed to the practice of the other States. For nearly sixty years all the States save one have appointed their electors by a popular vote upon a general ticket, and for nearly thirty years this method was universal.

After a full test of other methods, without important division or dissent in any State, and without any purpose of party advantage, as we must believe, but solely upon the considerations that uniformity was desirable, and that a general election in territorial divisions not subject to change was most consistent with the popular character of our institutions, best preserved the equality of the voters, and perfectly removed the choice of President from the baneful influence of the "gerrymander," the practice of all the States was brought into harmony. That this concurrence should now be broken is, I think, an unfortunate and even a threatening episode, and one that may well suggest whether the States that still

get their approval to the old and prevailing method ought not to serve, by a constitutional amendment, a practice which has had the approval of all. The recent Michigan legislation provides for choosing what are popularly known as the Congressional electors for President by Congressional districts, and the two Senatorial electors by districts created for that purpose. This legislation was, of course, accompanied by a new Congressional apportionment, and the two Statutes bring the electoral vote of the State under the influence of the "gerrymander."

These "gerrymanders" for Congressional purposes are in most cases buttressed by a "gerrymander" of the legislative districts, thus making it impossible for a majority of the legal voters of the State to correct the apportionment and equalize the Congressional districts. A minority rule is established that only a political convulsion can overthrow. I have recently been advised that in one county of a certain State three districts for the election of members of the Legislature are constituted as follows: one has 65,000 population, one 15,000, and one 10,000; while in another county detached, non-contiguous sections have been united to make a legislative district. These methods have already found effective application to the choice of Senators and Representatives in Congress, and now an evil start has been made in the direction of applying them to the choice by the States of electors of President and Vice-President. If this is accomplished, we shall then have the three great Departments of the Government in the grasp of the "gerrymander," the Legislative and Executive directly, and the Judiciary indirectly through the power of appointment.

An election implies a body of electors having prescribed qualifications, each one of whom has an equal value and influence in determining the result. So when the Constitution provides that "each State shall appoint" (elect) "in such manner as the Legislature thereof may direct, a number of electors," &c., an unrestricted power was not given to the Legislatures in the selection of the methods to be used. "A Republican form of Government" is guaranteed by the Constitution to each State, and the power given by the same instrument to the Legislatures of the States to prescribe methods for the choice by the State of electors must be exercised under that limitation. The essential features of such a Government are the right of the people to choose their own officers and the nearest practicable equality of value in the suffrages given in determining that choice.

It will not be claimed that the power given to the Legislature would support a law providing that the persons receiving the smallest vote should be the electors, or a law that all the electors should be chosen by the voters of a single Congressional district.

The State is to choose, and, under the pretence of regulating methods, the Legislature can neither vest the right of choice elsewhere nor adopt methods not conformable to Republican institutions. It is not my purpose here to discuss the question whether a choice by the Legislature or by the voters of equal single districts is a choice by the State, but only to recommend such regulation of this matter by constitutional amendment as will secure uniformity, and prevent that disgraceful partizan jugglery to which such a liberty of choice, if it exists, offers a temptation.

Nothing just now is more important than to provide every guarantee for the absolutely fair and free choice by an equal suffrage, within the respective States, of all the officers of the National Government, whether that suffrage is applied directly, as in the choice of members of the House of Representatives, or indirectly, as in the choice of Senators and electors of President. Respect for public officers and obedience to law will not cease to be the characteristics of our people until our elections cease to declare the will of majorities fairly ascertained, without fraud, suppression, or "gerrymander." If I were called upon to declare wherein our chief national danger lies, I should say, without hesitation, in the overthrow of majority control by the suppression or perversion of the popular suffrage. That there is a real danger here all must agree, but the energies of those who see it have been chiefly expended in trying to fix responsibility upon the opposite party, rather than in efforts to make such practices impossible by either party.

Is it not possible now to adjourn that interminable and inconclusive debate while we take, by consent, one step in the direction of reform by eliminating the "gerrymander," which has been denounced by all parties, as an influence in the selection of electors of President and members of Congress? All the States have, acting freely and separately, determined that the choice of electors by a general ticket is the wisest and safest method, and it would seem there could be no objection to a constitutional amendment making that method permanent. If a Legislature chosen in one year upon purely local questions should, pending a Presidential contest, meet, rescind the law for a choice upon a general ticket, and provide for the choice of electors by the Legislature, and this trick should determine the result, it is not too much to say that the public peace might be seriously and widely endangered.

I have alluded to the "gerrymander" as affecting the method of selecting electors of President by Congressional districts, but the primary intent and effect of this form of political robbery have relation to the selection of members of the House of Representatives. The power of Congress is ample to deal with this

threatening and intolerable abuse. The unfailing test of sincerity in election reform will be found in a willingness to confer as to remedies, and to put into force such measures as will most effectually preserve the right of the people to free and equal representation.

An attempt was made in the last Congress to bring to bear the constitutional powers of the General Government for the correction of frauds against the suffrage. It is important to know whether the opposition to such measures is really rested in particular features, supposed to be objectional, or includes any proposition to give to the election laws of the United States adequacy to the correction of grave and acknowledged evils. I must yet entertain the hope that it is possible to secure a calm, patriotic consideration of such constitutional or statutory changes as may be necessary to secure the choice of the officers of the Government to the people by fair apportionments and free elections.

I believe it would be possible to constitute a Commission, non-partisan in its membership, and composed of patriotic, wise, and impartial men, to whom a consideration of the question of the evils connected with our election system and methods might be committed with a good prospect of securing unanimity in some plan for removing or mitigating those evils. The Constitution would permit the selection of the Commission to be vested in the Supreme Court, if that method would give the best guarantee of impartiality.

This Commission should be charged with the duty of inquiring into the whole subject of the law of elections as related to the choice of officers of the National Government, with a view to securing to every elector a free and unmolested exercise of the suffrage, and as near an approach to an equality of value in each ballot cast as is attainable.

While the policies of the General Government upon the tariff, upon the restoration of our merchant marine, upon river and harbour improvements, and other such matters of grave and general concern, are liable to be turned this way or that by the results of Congressional elections, and administrative policies, sometimes involving issues that tend to peace or war, to be turned this way or that by the results of a Presidential election, there is a rightful interest in all the States and in every Congressional district that will not be deceived or silenced by the audacious pretence that the question of the right of any body of legal voters in any State or in any Congressional district to give their suffrages freely upon these general questions is a matter only of local concern or control. The demand that the limitations of suffrage shall be found in the law, and only there, is a just demand, and no just man should

resent or resist it. My appeal is, and must continue to be, for a consultation that shall "proceed with candour, calmness, and patience upon the lines of justice and humanity, not of prejudice and cruelty."

To the consideration of these very grave questions I invite not only the attention of Congress, but that of all patriotic citizens. We must not entertain the delusion that our people have ceased to regard a free ballot and equal representation as the price of their allegiance to laws and to civil magistrates.

I have been greatly rejoiced to notice many evidences of the increased unification of our people, and of a revived national spirit. The vista that now opens to us is wider and more glorious than ever before. Gratification and amazement struggle for supremacy as we contemplate the population, wealth, and moral strength of our country. A trust, momentous in its influence upon our people and upon the world, is for a brief time committed to us, and we must not be faithless to its first condition—the defence of the free and equal influence of the people in the choice of public officers, and in the control of public affairs.

Executive Mansion, December 9, 1891.

BENJ. HARRISON.

CONVENTION between Denmark and Germany, for the Abolition of certain Dues (Gabella Hereditaria and Census Emigrationis).—Signed at Copenhagen, February 5, 1891.

[Ratifications exchanged at Copenhagen, June 1, 1891.]

SA Majesté le Roi de Danemark et Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire d'Allemagne, désirant abolir le droit de détraction et l'impôt d'émigration entre les deux pays, les Soussignés, dûment autorisés à cet effet, sont convenus de ce qui suit :—

ART. I. Les droits connus sous le nom de gabella hereditaria ("Afdrageret") et census emigrationis ("Udforselsafgift") ne seront plus exigés ni perçus à l'avenir lorsqu'en cas de succession, donation, émigration, ou autres il y aura lieu à une translation de biens de l'Empire d'Allemagne dans le Royaume de Danemark ou de celui-ci dans l'Empire d'Allemagne, toutes les impositions de cette nature étant abolies entre les deux pays à l'exception de celles qui, soit à raison de droit de succession, de vente, ou d'autres, seraient

acquittées dans le cas même où les biens resteraient dans le pays en question.

II. Cette disposition s'étend non seulement aux droits et impositions du genre indiqué qui font partie des revenus publics, mais encore à ceux qui jusqu'à présent pourraient avoir été levés par quelques particuliers, communes, ou corporations.

III. La présente Convention est applicable non seulement à toutes les successions à échoir à l'avenir, mais à toutes les translations de biens en général où l'exportation n'a pas encore été effectuée.

IV. Comme cette Convention ne s'applique qu'aux biens et à leur libre exportation, toutes les lois relatives aux émigrants eux-mêmes et au service militaire restent en pleine vigueur dans les deux pays, et les Gouvernements Contractants ne sont nullement restreints par la présente Convention dans leur future législation à ce sujet.

V. La présente Convention sera ratifiée, et les ratifications en seront échangées le plus tôt que faire se pourra. Elle entrera en vigueur à dater du jour où les ratifications auront été échangées.

En foi de quoi les Soussignés ont signé la présente Convention et l'ont revêtue du cachet de leurs armes.

Fait en double, à Copenhague, le 5 Février, 1891.

(L.S.) O. D. ROSENÖRN-LEHN.

(L.S.) BRINCKEN.

DÉCLARATION Commerciale entre le Portugal et l'Empire Ottoman.—Signée à Lisbonne, le 11 Janvier, 1890.

LES Soussignés, son Excellence M. Henri de Barros Gomes, Ministre des Affaires Étrangères de Sa Majesté le Roi de Portugal, Conseiller d'État, Grand Cordon des Ordres du Medjidié de Turquie, de la Légion d'Honneur, de France, et du Christ de Portugal, agissant au nom du Gouvernement Royal Portugais, d'une part ; et

Son Excellence Étienne Carathéodory Effendi, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur des Ottomans près Sa Majesté le Roi des Belges, en mission extraordinaire près Sa Majesté Très-Fidèle, Grand Cordon de l'Ordre Impérial du Medjidié et Grand Cordon du Christ, agissant au nom du Gouvernement Impérial Ottoman, d'autre part :

Réunis aujourd'hui à l'hôtel du Ministère des Affaires Étrangères à Lisbonne, et dûment autorisés, ont arrêté, d'un commun accord, les points suivants :—

ART. I^{er}. Les Traités de Commerce conclus entre la Sublime Porte et le Portugal le 20 Mars, 1843,* et le 23 Février, 1868,† sont déclarés résiliés, d'un commun accord entre les Parties Contractantes, et remplacés par les stipulations suivantes.

II. Jusqu'à la conclusion du nouveau Traité de Commerce entre l'Empire Ottoman et le Portugal, le commerce et les intérêts Ottomans dans le Royaume de Portugal, et le commerce et les intérêts Portugais dans l'Empire Ottoman, continueront à être traités sur le même pied que ceux des autres Puissances.

Les sujets et les produits du sol et de l'industrie, ainsi que les bâtiments de l'une des Hautes Parties Contractantes, auront, de droit, dans le territoire de l'autre, l'exercice et la jouissance de tous avantages, privilèges, et immunités qui sont ou par la suite seraient accordés, ou dont le Gouvernement du pays en question pourrait permettre la jouissance aux sujets, aux produits du sol et de l'industrie, et aux bâtiments de toute autre nation la plus favorisée.

III. Le Gouvernement de Sa Majesté le Roi de Portugal donne son consentement à la renonciation au Traité du 23 Février, 1868, et à celui du 20 Mars, 1843, stipulée dans l'Article I^{er} sous les deux réserves qui suivent et qui sont acceptées par le Gouvernement Impérial Ottoman.

1. Il est fait réserve, au profit du Portugal, du droit de concéder au Brésil seulement des avantages particuliers qui ne pourront être réclamés par la Turquie comme une conséquence de son droit au traitement de la nation la plus favorisée.

2. De même, le traitement de la nation la plus favorisée ne pourra être invoqué par la Turquie pour ce qui concerne les Concessions spéciales que le Portugal pourrait accorder à des États limitrophes en vue de faciliter leur commerce de frontières.

IV. Le Gouvernement de Sa Majesté le Roi de Portugal se réserve de présenter la présente Déclaration, dont les stipulations entreront en vigueur le 23 Février, 1890,‡ en lieu et place de celles contenues dans le Traité de Commerce du 23 Février, 1868, et celui du 20 Mars, 1843, et qui devront être également ratifiées par le Gouvernement Impérial Ottoman, à l'approbation des Cortes.

En foi de quoi les Soussignés ont fait et signé, en double expédition, la présente Déclaration, aujourd'hui, le 11 Janvier, 1890, à Lisbonne.

(L.S.) HENRIQUE DE BARROS GOMES.

(L.S.) ÉT. CARATHÉODORY.

* Vol. XXXI, page 156.

† Vol. LVIII, page 567.

‡ Date altered to May 15, 1890. See *Procès-Verbal*, page 465.

*PROCÈS-VERBAL (Échange des Ratifications).—Bruxelles,
le 24 Avril, 1891.*

LES Soussignés, Henrique, Comte de Macedo, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Portugal près Sa Majesté le Roi des Belges; et

Étienne Carathéodory Effendi, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur des Ottomans près Sa Majesté le Roi des Belges;

S'étant réunis pour procéder à l'échange des ratifications de Sa Majesté le Roi de Portugal et de Sa Majesté l'Empereur des Ottomans sur la Déclaration Commerciale conclue le 11 Janvier à Lisbonne entre le Portugal et l'Empire Ottoman, les instruments de ces ratifications ont été produits, et ayant été trouvés exacts et concordants, l'échange en a été opéré, après permutation et sous le bénéfice des explications consignées ci-après :

Le Plénipotentiaire de Sa Majesté Très-Fidèle a exposé qu'il n'était autorisé à procéder à l'échange des ratifications de la susdite Déclaration Commerciale que si le Plénipotentiaire de Sa Majesté l'Empereur des Ottomans était, pour sa part, dûment autorisé à accepter à l'occasion et comme condition préalable de cet échange, et à titre d'Article complémentaire de la même Déclaration, le paragraphe additionnel que les Cortes générales Portugaises y ont ajouté, paragraphe qui est devenu de ce chef une partie intégrante et essentielle de la Loi du 23 Mai, 1890, qui a approuvé la Déclaration et dont la teneur est comme suit :—

“ Les dispositions de la susdite Déclaration ne seront considérées comme obligatoires sans qu'au préalable il soit convenu entre les deux Gouvernements que, dans le cas où ils ne seraient pas arrivés ou ils n'arriveraient pas à un accord sur la conclusion du nouveau Traité de Commerce, auquel a trait l'Article II de la même Déclaration, dans un délai de six mois, comptés à partir de la date de la proposition pour la négociation de ce Traité, la Déclaration dont il s'agit sera tenue comme résiliée en elle-même et comme nulle dans toutes ses conséquences.”

Le Plénipotentiaire de Sa Majesté l'Empereur des Ottomans s'est déclaré dûment autorisé à accepter et il a accepté le susdit paragraphe additionnel dans tous les termes et conditions posés par le Plénipotentiaire de Sa Majesté Très-Fidèle.

Les Soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, sont en outre convenus de fixer et ils ont fixé la date pour l'entrée en vigueur des stipulations de la Déclaration Commerciale, signée le 11 Janvier, 1890, au 15 Mai prochain.

En foi de quoi les Soussignés ont dressé le présent procès-

verbal, qu'ils ont signé en double expédition et revêtu de leurs cachets.

Fait à Bruxelles, le 24 Avril, 1891.

(L.S.) COMTE DE MACEDO.

(L.S.) ÉT. CARATHÉODORY.

CORRESPONDENCE between Great Britain and China, respecting Anti-Foreign Riots in China.—June, July, 1891.

No. 12.—*Sir J. Walsham to the Marquess of Salisbury.*—(Received June 22.)

(Telegraphic.)

Peking, June 21, 1891.

THE disturbances at Wuhu, which I reported by telegraph to your Lordship, have been followed by serious riots in several other places in the region of the Yangtse. Great destruction of property has taken place, chiefly that of French missionaries up to the present, and two Englishmen named Argent, of the Wesleyan Methodist Mission, and Green, of the Customs, were killed on the 5th instant at Wuhsueh, about 30 miles above Kiukiang. All the other members of the Mission escaped safely to Hankow.

Joint action has been taken by the foreign Representatives, who have been continuously engaged in urging upon the Chinese Government the immediate adoption of most stringent measures to protect foreigners against the repeated outrages which have been committed on them.

As regards the Wuhu riot, two ringleaders have been executed, and others implicated sentenced to punishments of various kinds, but in the case of the subsequent riots nothing has as yet been done to punish the authors.

An Imperial Edict was, however, published on the 13th instant in which the attacks on missionaries were strongly condemned, and the high authorities called upon to protect all foreigners, and to punish those who incite the people against them with the utmost severity. This Edict and its publication in the "Gazette" was obtained by us with great difficulty.

A great deal now depends on the manner in which the Imperial orders are executed by the high officials. The Government at present seems powerless to deal with the situation, of which they should begin to realize the gravity.

For the present all questions of indemnity must stand over. As the crisis may undoubtedly become formidable, the Government have quite enough on their hands.

Nine foreign men-of-war are now in the Yangtse, and there is also a strong naval force at Shanghai, where the British and French Admirals now are. I am much indebted to the British Admiral for the manner in which he is supporting me.

No. 13.—The Marquess of Salisbury to Sir J. Walsham.

(Telegraphic.)

Foreign Office, July 2, 1891.

I HAVE received your telegram of the 21st ultimo, on the subject of the attacks on foreigners which have recently taken place at Wuhu and in the Yangtse region.

I understand that, in your opinion, it is desirable to obtain the punishment of those most inculpated in the recent riots, and adequate measures for the protection of foreigners, before questions of indemnity for losses are considered. In this view Her Majesty's Government quite concur, and they leave you full discretion as to the mode of urging the matter on the Yamèn.

*No. 15.—The Marquess of Salisbury to Sir J. Walsham.**

SIR,

Foreign Office, July 10, 1891.

The Chinese Minister called at the Foreign Office on the 4th instant, and read to Sir Philip Currie the following telegram from his Government on the subject of the recent anti-missionary outbreaks in China:—

"Within the last month or so there have unfortunately been several disturbances in different places directed against the missionary establishments. The places are Wuhu, Tanyang, Wooyeh (near Kiukiang), Woosieh (near Soochow), Chingkwang, Yangwoo, Kiangyen—in all, seven in number.

"At Wooyeh one missionary has been killed, and one employé of the Maritime Customs, both of them being British subjects. At all the other places the disturbances were directed not against British subjects, but against the French missionary establishments. At Wuhu it appears that a doctor connected with the French missionary establishment had been attending upon a Chinese child, and this gave rise to all manner of rumours among the people, who seized the doctor and sent him to the Magistrate, who kept him in the Yamèn until the next day, when, at the desire of the Mission authorities, he was handed over to them. The populace were much

* Substance telegraphed.

dispensed at this, and showed their excitement by burning the mission-house.

"This occurrence at Wuhu seems to have acted on the people at all the other places. The authorities at Wuhu immediately arrested several of the ringleaders, and had two of them executed and their heads publicly exposed as a warning to others.

"The cases of the remaining ringleaders are still being considered. At Wuhsueh between 10 and 20 persons were arrested. Two of them have already been judged and condemned to death, but not yet executed. The cases of the others have not yet been inquired into.

"At Tanyang nine arrests have been made, at Woosieh six, but as yet none of them have been judged.

"At the instance of the Tsung-li Yamén an Imperial Edict has been issued calling on the authorities to immediately investigate these events, and, according to Treaty, severely punish any persons who may be found guilty.

"Sir J. Walsham has been to the Yamén and expressed great displeasure at the slowness of the action of the authorities.

"The Tsung-li Yamén have answered that, owing to the distance apart of the places where the disturbances have occurred, and the difficulty of immediately finding and arresting those who are culpable, the Yamén consider that no undue delay in inquiring into the matter has taken place.

"The Tsung-li Yamén are determined to make a rigorous inquiry into the matter, and to see that none of the guilty escape; already one official has been dismissed from the Government service, and five others have been degraded.

"The Tsung-li Yamén are desirous that the Foreign Office should instruct Sir J. Walsham to show no undue impatience or feeling with regard to the matter."

Sir Philip Currie stated that he would submit the telegram to me, but that he thought it right to say that Her Majesty's Government would expect something more than an inquiry, and that, in view of the serious danger to which the lives and property of British subjects were still exposed, it was essential that the guilty should be promptly brought to justice. The Chinese Government would no doubt be prepared in due time to compensate the sufferers, but the important point now was to re-establish order and security.

The Chinese Minister replied that Her Majesty's Government might feel sure that due punishment would be inflicted.

In answer to questions put to him by Sir P. Currie, he said that there had not for many years been such an anti-foreign outbreak; that he did not attribute it to any widespread feeling against foreigners, but to the machinations of the Secret Societies existing

among the disbanded soldiery, the object of which was to stir up trouble against the Government. I am, &c.,

Sir J. Walsham.

SALISBURY.

No. 21.—The Marquess of Salisbury to Sir J. Walsham.

SIR,

Foreign Office, July 22, 1891.

At an interview which Sir Halliday Macartney had with Sir Thomas Sanderson on the 11th instant, he was told that I wished to impress on him, and to ask him to impress upon the Chinese Minister, the serious dangers that might arise out of the riots against missionaries and other foreigners in China unless adequate measures were taken for the repression and punishment of the rioters.

Sir T. Sanderson said that Sir H. Macartney must be well aware of the strength and importance of the feeling in favour of missionaries in this country; that the French Government and Chambers were very zealous in the protection of French religious influence and missionary enterprise in the East, and that if public opinion once became alarmed and indignant in France and England, a cry for intervention might arise which might have very embarrassing and even serious consequences.

Sir H. Macartney expressed his thanks for this communication, and promised to speak to the Chinese Minister.

He called again at the Foreign Office on the 16th instant, and said that the Chinese Minister was greatly obliged for this frank message, and had telegraphed to the Yamen on the subject.

The latter had replied that they were perplexed and somewhat disturbed by the pressure which continued to be put on them by the British Legation. As had been stated in their previous telegram, two men had been executed at Wuhu, and others subjected to minor punishments. Since then two more had been condemned to death at Wuhseh for participation in the riots there, and several Mandarins had been degraded.

The Yamen felt that there had been no laxity nor evasion in the measures taken, and they apprehended that further executions would tend to increase rather than allay popular excitement. The reports now received showed that peace and order had been restored. They remarked that Her Majesty's Minister had been more urgent and severe in his representations than any other foreign Representative, even than the French Minister, whose nationals were the principal sufferers.

Sir H. Macartney added that M. Ribot had accepted as sufficient and satisfactory the assurances given to him by the Chinese Minister,

which were identical with those recorded in my despatch of the 10th, as communicated by the Chinese Minister to Sir P. Currie.

Sir T. Sanderson remarked that British interests in China were larger than those of any other European country, and that you had probably been made aware, as he had certainly himself been informed by Consular officers recently returned from China, of a growing tendency amongst the Chinese population to think that the simplest way of stopping any foreign movement or institution which they disliked was a resort to popular outbreak and violence, which they believed would have no unpleasant result to themselves, and would merely entail payment of a certain pecuniary indemnity by the Government. It would obviously, he said, be disastrous, both for the foreign communities and for the Chinese Government, that such an impression should get abroad.

He promised, however, to submit the Chinese Minister's communication to me, and to ask if I would be disposed to accept the communications now made as evidence that the Yamên were alive to the importance of the question, and the necessity of adequate measures for protection of the foreign communities in China.

I am, &c.,

Sir J. Walsham.

SALISBURY.

PROVISIONAL COMMERCIAL CONVENTION *between Montenegro and Servia.—Signed at Cetlinjë and at Belgrade, May 1st, 1891.*

(Translation.)

THE Government of His Highness the Prince of Montenegro and the Government of the Regents of His Majesty the King of Servia, desiring to facilitate commercial intercourse between the two Serb countries, have resolved to conclude a Provisional Commercial Convention, and their Plenipotentiaries have agreed on the following terms :—

ART. I. Montenegrin products and manufactures introduced into Servia, and Servian products and manufactures introduced into Montenegro, shall be subjected reciprocally to the same treatment as is accorded to the most favoured nation as far as regards import and export duty, transit dues, re-exportation and warehousing dues, and local and governmental dues.

II. The subjects of the two Contracting Parties shall pay, in the country of the other, for the privilege of carrying on trade or industrial occupations, the same taxes and licence dues as are paid by natives.

III. This Convention will remain in force till the $\frac{1}{16}$ th October, 1892, when it will lapse without further denunciation.

The Convention will be laid before the Servian National Assembly.

Cettinje, May $\frac{1}{13}$, 1891.

(L.S.) G. VUKOVICH, *Minister for Foreign Affairs of Montenegro.*

Belgrade, May $\frac{1}{13}$, 1891.

(L.S.) M. GIORGJIVICH, *Minister for Foreign Affairs of Servia.*

*TRAITÉ d'Amitié, d'Établissement, et de Commerce, entre l'État Indépendant du Congo et la République de Libéria.—
Signé à Brussels, le 15 Décembre, 1891.*

[Ratifications échangées à Bruxelles, le 22 Août, 1893.]

SA Majesté Léopold II, Roi des Belges, Souverain de l'État Indépendant du Congo, et son Excellence le Président de la République de Libéria, animés du désir d'établir et de consolider les rapports d'amitié et de commerce entre les deux pays, ont résolu de conclure entre les deux États un Traité d'Amitié, d'Établissement, et de Commerce, et ont, à cet effet, nommé pour leurs Plénipotentiaires :

Sa Majesté Léopold II, Roi des Belges, Souverain de l'État Indépendant du Congo, le Sieur Adolphe de Cuvelier, Secrétaire du Gouvernement auprès du Conseil Supérieur de l'État du Congo, Commandeur de l'Ordre du Christ de Portugal ;

Son Excellence le Président de la République de Libéria, le Sieur Adolphe Louis, Baron de Stein, Grand-Croix de l'Ordre de la Rédemption Africaine, Officier de l'Ordre de Léopold, Commissaire et Plénipotentiaire Spécial de son Gouvernement ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté les Articles suivants :—

ART. I. Il y aura paix et amitié perpétuelles entre l'État Indépendant du Congo et la République de Libéria, ainsi qu'entre les ressortissants des deux pays.

II. Il y aura liberté réciproque de commerce entre l'État Indépendant du Congo et la République de Libéria.

Les ressortissants de l'État Indépendant du Congo pourront résider et commercer sur tout point quelconque du territoire de la

République sur lequel tous autres étrangers quelconques sont ou seront admis ; ils y jouiront d'une protection complète pour leurs personnes et leurs propriétés ; ils seront libres d'acheter ou de vendre à qui bon leur semblera, sans qu'aucun préjudice ni aucune entrave leur soient créés par le fait d'un monopole ou d'un privilège exclusif de vente ou d'achat.

Chacune des deux Parties Contractantes se réserve le droit d'accorder des concessions, pour un temps limité, soit à des particuliers, soit à des Compagnies, pour l'exploitation des produits naturels du sol.

Ils auront le droit d'y posséder des biens meubles de toute espèce et d'en disposer selon les lois du pays ; de recueillir et de transmettre les successions de ces mêmes biens *ab intestat* ou testamentaires, à l'égal des nationaux et sans être assujettis, à raison de leur qualité d'étrangers, à aucun prélèvement ou impôt qui ne serait pas dû par les nationaux. Ils jouiront, en outre, de tous autres droits ou privilèges qui sont ou pourront être accordés à tous étrangers quelconques, sujets ou citoyens de la nation la plus favorisée. Les citoyens de la République de Libéria jouiront en retour des mêmes protections et privilèges dans l'État Indépendant du Congo, en se conformant aux lois du pays.

III. Aucun droit de tonnage ou autres droits, charges, ou redevances ne seront perçus dans l'État Indépendant du Congo sur les navires de la République de Libéria ou sur les marchandises importées ou exportées par navires de la République de Libéria, autres ou plus élevés que ceux qui pourront être perçus sur les navires nationaux ou les marchandises importées ou exportées par les dits navires nationaux ; de même, aucun droit de tonnage, ou autres droits, charges, ou redevances, ne seront perçus dans la République de Libéria sur les navires de l'État Indépendant du Congo ou sur les marchandises importées ou exportées par navires de l'État Indépendant du Congo, autres ou plus élevés que ceux qui pourront être perçus, dans les mêmes cas, sur les navires nationaux ou les marchandises importées ou exportées par les dits navires nationaux.

IV. Seront totalement exempts des droits de tonnage et jouiront du régime de la nation la plus favorisée, quant aux droits d'expédition :—

1. Les navires qui, entrés sur lest, de quelque lieu que ce soit, repartiront sur lest ;
2. Les navires qui, passant d'un port de l'un des deux États dans un ou plusieurs ports du même État, soit pour y déposer tout ou partie de leur cargaison, soit pour y composer ou compléter leur chargement, justifieront avoir déjà acquitté ces droits ;
3. Les navires qui, entrés avec chargement dans un port, soit

volontairement, soit en relâche forcée, en sortiront sans avoir fait des opérations de commerce.

Ne sont pas considérés en cas de relâche forcée comme opérations de commerce, notamment le débarquement et le rechargement des marchandises pour la réparation du navire, ainsi que le transbordement sur un autre navire en cas d'innavigabilité du premier.

V. La protection de l'État Indépendant du Congo et de son Gouvernement sera accordée à tous les navires de la République, leurs officiers, et leurs équipages. Si quelque navire de la République venait à faire naufrage sur la côte de l'État Indépendant du Congo, les autorités locales lui porteront secours et le protégeront contre le pillage ; elles veilleront à ce que tous les articles sauvés du naufrage soient restitués à leurs légitimes propriétaires. Le montant des droits de sauvetage sera réglé, en cas de contestation, par des arbitres choisis par les deux Parties.

La même protection est assurée par la République aux navires de l'État Indépendant du Congo, à leurs officiers, et à leurs équipages.

VI. Les Hautes Parties Contractantes déclarent reconnaître mutuellement à toutes les Compagnies et autres Associations commerciales, industrielles, ou financières, constituées et autorisées suivant les lois particulières de l'un des deux pays, la faculté d'exercer tous leurs droits et d'ester en justice devant la juridiction compétente, soit pour intenter une action, soit pour y défendre dans toute l'étendue des États et possessions de l'autre Puissance, sans autre condition que de se conformer aux lois des dits États et possessions.

VII. Les ressortissants de l'État Indépendant du Congo dans la République de Libéria, et les ressortissants de la République de Libéria dans l'État Indépendant du Congo, ne pourront être assujettis, pour leurs propriétés personnelles, à d'autres charges, restrictions, taxes, ou impôts que ceux auxquels seront soumis les nationaux eux-mêmes ou les ressortissants de la nation la plus favorisée.

VIII. Les ressortissants de l'État Indépendant du Congo dans la République de Libéria, et réciproquement les ressortissants de la République de Libéria dans l'État Indépendant du Congo, jouiront de la plus parfaite liberté de conscience, en matière de religion, conformément au système de tolérance pratiqué dans leurs pays respectifs.

IX. Chacune des Parties Contractantes pourra nommer des Consuls, Vice-Consuls, ou Agents Consulaires. Toutefois, aucun de ces Agents ne pourra exercer ces fonctions avant d'avoir reçu l'autorisation, dans la forme usitée, du Gouvernement auprès duquel il est délégué.

Ils jouiront, sur le pied d'une complète réciprocité, dans l'un et l'autre pays, tant pour leur personne que pour l'exercice de leur

charge, des privilèges et de la protection qui sont actuellement accordés aux Consuls de la nation la plus favorisée.

X. Chacun des deux États Contractants s'engage à traiter les ressortissants de l'autre État, dans tout ce qui touche à l'importation, l'entrepôt, le transit, et l'exportation de tout article d'un commerce légal, sur le même pied que les citoyens du pays ou que les ressortissants de la nation la plus favorisée.

XI. Aucune des deux Parties Contractantes ne pourra exiger pour l'importation, l'entrepôt, ou le transit des produits du sol ou des manufactures de l'autre État, des droits plus élevés que ceux qui sont ou pourraient être imposés sur les mêmes articles provenant de tout autre pays étranger.

XII. Les Hautes Parties Contractantes s'engagent, pour le cas où l'une d'elles accorderait dorénavant à une troisième Puissance quelque faveur en matière de commerce ou de douane, à étendre en même temps, et *ipso facto*, cette même faveur à l'autre Partie Contractante, gratuitement, si la faveur au bénéfice de la troisième Puissance est accordée à titre gratuit, ou, si cette concession est accordée sous condition, en retour d'une compensation qui soit le plus possible de valeur et effet proportionnels à convenir par entente entre les deux pays.

XIII. Dans le cas où un différend s'élèverait entre les deux pays contractants et ne pourrait être arrangé amicalement par correspondance diplomatique entre les deux Gouvernements, ces derniers conviennent de le soumettre au jugement d'un Tribunal Arbitral dont ils s'engagent à respecter et à exécuter loyalement la décision.

Le Tribunal Arbitral sera composé de trois membres. Chacun des deux États en désignera un choisi en dehors de ses nationaux et des habitants du pays. Les deux Arbitres nommeront le troisième ; s'ils ne peuvent s'entendre sur ce choix, le troisième Arbitre sera nommé par un Gouvernement désigné par les deux Arbitres ou, à défaut d'entente, par le sort.

XIV. Une Convention spéciale sur l'extradition des malfaiteurs et l'exécution des Commissions Rogatoires sera conclue entre les Parties Contractantes. D'ici à l'entrée en vigueur de cette Convention, l'État Indépendant du Congo jouira dans la République de Libéria, et celle-ci dans l'État Indépendant du Congo, de tous les droits que ces Hautes Parties Contractantes accordent ou accorderont en ces matières à un autre État non limitrophe. Il est en tous cas entendu que toute demande faite en ces matières par l'une des Parties Contractantes à l'autre entraînera, *ipso facto*, l'engagement de réciprocité.

XV. Il sera loisible aux ressortissants de l'État Indépendant du Congo de se rendre, d'émigrer, et de contracter des engagements en vue de prendre service dans le territoire de la République de

Libéria, et réciproquement il sera loisible aux ressortissants de la République de Libéria de se rendre, d'émigrer, et de contracter des engagements en vue de prendre service dans le territoire de l'État Indépendant du Congo.

XVI. Les Hautes Parties Contractantes se promettent aide et appui pour poursuivre la répression de la Traite, et se prêteront de bons offices mutuels pour la réalisation de toutes mesures tendant à ce but humanitaire.

XVII. Les stipulations du présent Traité seront exécutoires dans les deux États dès le 100^e jour après l'échange des ratifications. Le Traité restera en vigueur pendant dix ans à dater du jour de l'échange des ratifications. Dans le cas où aucune des deux Parties Contractantes n'aurait notifié, douze mois avant la fin de la dite période, son intention d'en faire cesser les effets, le Traité demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Parties Contractantes l'aura dénoncé.

XVIII. Ce Traité sera soumis de part et d'autre à l'approbation et à la ratification des autorités compétentes respectives de chacune des Parties Contractantes. Les ratifications en seront échangées à Bruxelles dans les six mois à dater de ce jour ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs ont, sous réserve des ratifications qui viennent d'être mentionnées, signé les Articles ci-dessus et y ont apposé leur sceau.

Ainsi fait à Bruxelles, le 15 Décembre, 1891.

(L.S.) AD DE CUVELIER.

(L.S.) BARON DE STEIN.

*CORRESPONDENCE between Great Britain and the United States, respecting a proposed Convention for the purpose of regulating Questions of Commerce and Fishery between the United States and Newfoundland.—1890, 1891.**

No. 10.—The Marquess of Salisbury to Sir J. Pauncefote.

SIR,

Foreign Office, September 10, 1890.

THIS despatch will be delivered to you by the Honourable Robert Bond, Colonial Secretary of Newfoundland, who is about to proceed to New York, and has been commissioned by Sir W. Whiteway, the Prime Minister of the Colony, to communicate to

* Laid before Parliament by the Colonial Office, March 1891.

you the views and wishes of the Newfoundland Government with regard to an arrangement for the admission of fish and other products of Newfoundland to the United States free of duty, in return for concessions as to the purchase of bait by United States' fishermen.

Sir W. Whiteway has requested that you may be informed that Mr. Bond has authority to speak to you on the subject in the name of the Newfoundland Government, and I have accordingly furnished him with this introduction to you.

I am, &c.,

Sir J. Pouncefote.

SALISBURY.

No. 22.—Sir J. Pouncefote to the Marquess of Salisbury.

(Extract.)

Washington, October 30, 1890.

WITH reference to your Lordship's despatch of the 10th ultimo, informing me of the intended visit to this country of the Honourable Robert Bond, Colonial Secretary of Newfoundland, for the purpose of communicating to me the views and wishes of the Colonial Government with regard to a reciprocity arrangement with the United States, I have the honour to report that Mr. Bond arrived in Washington at the end of last month, while I was still at Magnolia.

The Secretary of State happened to be passing through Washington at the time, and I availed myself of the opportunity to request him to receive Mr. Bond unofficially, in order that he might explain to him informally the general character of the proposed arrangement, and the advantages which would result to the United States from its adoption.

Mr. Blaine at once acceded to my request, and Mr. Bond had a lengthy interview with him, the result of which was that I was invited to put the Newfoundland proposals in the shape of a draft Convention.

I accordingly transmitted to Mr. Blaine a draft which had been previously approved by Mr. Bond, and I have every hope that it will be accepted without any important modifications, provided it should not meet with any formidable opposition on the part of the representatives of the fishery interests in New York, Boston, and Gloucester.

The Marquess of Salisbury.

JULIAN PAUNCEFOTE

*No. 23.—Sir J. Pouncefote to the Marquess of Salisbury.***MY LORD,***Washington, November 4, 1890.*

IN continuation of my despatch of the 30th ultimo respecting the pending negotiations for a reciprocity arrangement with the United States in relation to Newfoundland, I have the honour to inclose a copy of the draft Convention referred to in that despatch, and of the private note in which I transmitted it to Mr. Blaine for his consideration.

The draft is in precise accordance with the wishes of the Newfoundland Government, with the addition of crude minerals to the list of free imports. This I inserted in Article III at the request of the Honourable Mr. Bond, the Colonial Secretary of Newfoundland, and being pressed by him to send the draft to Mr. Blaine at once I acceded to his request.

I trust that my action in this matter under the circumstances will meet with your Lordship's approval.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(Inclosure.)—Draft Convention.

CONVENTION between Great Britain and the United States of America for the improvement of commercial relations between the United States and Her Britannic Majesty's Colony of Newfoundland.

THE Governments of Great Britain and of the United States, desiring to improve the commercial relations between the United States and Her Britannic Majesty's Colony of Newfoundland, have appointed as their respective Plenipotentiaries, to wit :

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ART. I. United States' fishing-vessels entering the waters of Newfoundland shall have the privilege of purchasing herring, caplin, squid, and other bait fishes, at all times, on the same terms and conditions in all respects as Newfoundland vessels. They shall also have the privilege of touching and trading, selling fish and oil, and getting supplies in Newfoundland, conforming to the Harbour

Regulations, but without other charge than the payment of such light, harbour, and customs dues as are, or may be, levied on Newfoundland fishing vessels.

II. Whereas the master of every United States' fishing-vessel to whom a licence to purchase bait may be granted under the last preceding Article will be required to enter into the bond prescribed by law in the case of Newfoundland vessels, and difficulties may arise in recovering penalties incurred by United States' citizens for the violation of such bonds, the United States' Government agree to take such measures as may be necessary to enable the Government of Newfoundland to recover such penalties in the Courts of the United States.

III. The produce of Newfoundland fisheries, that is to say, cod-fish, cod oil, seal oil, herrings, salmon, lobsters, &c., and all crude or unmanufactured produce of Newfoundland mines, shall be admitted into the United States free of duty.

IV. This Convention shall be ratified, and the ratifications shall be exchanged in _____ as soon as possible.

It shall come into force on such day as shall be agreed on between the High Contracting Parties, and it shall continue in force for the term of ten years from the date at which it may come into operation, and, further, until the expiration of twelve months after either of the High Contracting Parties shall give notice to the other of its wish to terminate the same, each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said term of ten years, or at any time afterwards.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

Done in duplicate at Washington, this _____ day of _____, in the year of our Lord 1890.

No. 47.—Sir J. Pauncefote to the Marquess of Salisbury.—(Received January 7, 1891.)

MY LORD,

Washington, December 26, 1890.

IN my telegram of the 17th instant I reported the departure from Washington of Mr. Bond, the Colonial Secretary of Newfoundland. The first interview with Mr. Blaine took place on the 29th ultimo. I was present, at the request of Mr. Blaine, and the conversation was confined to statistical information supplied by Mr. Bond.

On taking our leave Mr. Blaine said he would be glad to see us in a day or two, and would make an appointment for the purpose. But although I twice reminded him of his promise, we heard no

more from him for a fortnight, after which time Mr. Bond became impatient, and, with his approval, I asked Mr. Blaine whether he thought it necessary to detain him any longer.

Mr. Blaine replied in the negative, but begged me to ask Mr. Bond to call on him at his house before his departure, and appointed Monday morning, the 15th. Mr. Blaine said nothing about my coming also, and I understood that the object of the visit was only to wish Mr. Bond good-bye.

Mr. Bond called on me on the 16th, and informed me, somewhat to my surprise, that he had had several long interviews with Mr. Blaine, which had resulted in the remodelling of the draft Convention originally prepared by me, and he handed me a copy of a new draft, which he said would be most acceptable to Newfoundland, and which Mr. Blaine was prepared to accept also.

He was not sure, however, whether the words interpolated in Article II of the draft, namely, "and crude copper ores the product of Newfoundland mines," would be allowed to stand, but he was to see some members of the Chamber of Commerce of Boston on his way home, and would communicate with me further by telegram on the subject. I told Mr. Bond that I would keep the draft for reference in case Mr. Blaine should make any proposal to me founded upon it, but that I could take no cognizance of anything that might have passed between him and Mr. Blaine by way of negotiation in my absence. This Mr. Bond readily admitted, but said he had no doubt that Mr. Blaine would communicate the draft to me as a counter-proposal. I replied that in that case all I could do would be to transmit Mr. Blaine's communication to your Lordship. Mr. Bond dwelt very much on the hardship that would be inflicted on the Colony by any delay in accepting Mr. Blaine's proposal, and on the exasperation which would be produced there by the refusal of Her Majesty's Government to grant this measure of relief to the sorely tried colonists.

I explained to him that I had no power to move further in the matter, and he left for Halifax, on his way back to Newfoundland, on the same evening.

On the 18th Mr. Bond telegraphed to me from Boston as follows : "Please insert copper clause in Article II."

Mr. Blaine mentioned incidentally a few days ago that he would be glad to have a talk with me by-and-bye about Newfoundland, but that is all I have heard from him up to this date on the subject.

I inclose a copy of the draft handed to me by Mr. Bond, and which he stated had been virtually agreed to between Mr. Blaine and himself.

I have, &c.,

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(*Inclosure.*)—*Draft Convention between Great Britain and the United States of America, for the Improvement of Commercial Relations between the United States and Her Britannic Majesty's Colony of Newfoundland.*

THE Governments of Great Britain and of the United States, desiring to improve the commercial relations between the United States and Her Britannic Majesty's Colony of Newfoundland, have appointed as their respective Plenipotentiaries, and given them full powers to treat of and conclude such Convention, that is to say :

Her Britannic Majesty on her part has appointed Sir Julian Pauncefote, and the President of the United States has appointed, on the part of the United States, James G. Blaine, Secretary of State.

And the said Plenipotentiaries, after having exchanged their full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :—

ART. I. United States' fishing-vessels entering the waters of Newfoundland shall have the privilege of purchasing herring, caplin, squid, and other bait fishes at all times, on the same terms and conditions, and subject to the same penalties, in all respects, as Newfoundland vessels.

They shall also have the privilege of touching and trading, selling fish and oil, and procuring supplies, in Newfoundland, conforming to the Harbour Regulations, but without other charge than the payment of such light, harbour, and customs dues as are or may be levied on Newfoundland fishing-vessels.

II. Dry codfish, cod oil, seal oil, seal-skins, herrings, salmon, trout, and salmon trout, lobsters, cod roes, tongues, and sounds, the product of the fisheries of Newfoundland, and crude copper ores, the product of Newfoundland mines, shall be admitted into the United States free of duty. Also all packages in which the said fish may be exported shall be admitted free of duty. It is understood, however, that "green" codfish are not included in the provisions of this Article.

III. The officer of Customs at the Newfoundland port where the vessel clears shall give to the master of the vessel a sworn certificate that the fish shipped were taken in the waters of Newfoundland, which certificate shall be countersigned by the Consul or Consular Agent of the United States.

IV. When this Convention shall come into operation, and during the continuance thereof, the duties to be levied and collected upon the following enumerated merchandize imported into the Colony of Newfoundland from the United States shall not exceed the following amounts, viz. :—

Flour, 25 cents per barrel.

Pork, 1 dol. 50 c. per barrel of 200 lbs.

Bacon and hams, tongues, smoked beef, and sausages, 2½ cents per lb.,
or 2 dol. 50 c. per 112 lbs.

Beef, pigs' heads, hocks, and feet, salted and cured, 1 dollar per barrel
of 200 lbs.

Indian meal, 25 cents per barrel.

Peas, 30 cents per barrel.

Oatmeal, 30 cents per barrel of 200 lbs.

Bran, Indian corn, and rice, 12½ per cent. *ad valorem*.

Salt, in bulk, 20 cents per ton of 2,240 lbs.

Kerosene oil, 6 cents per gallon.

And the following articles imported into the Colony of Newfoundland from the United States shall be admitted free of duty :—

Agricultural implements and machinery imported by agricultural societies
for the promotion of agriculture.

Crushing mills for mining purposes.

Raw cotton.

Corn for the manufacture of brooms.

Gas engines, when protected by patent.

Ploughs and harrows.

Reaping, raking, ploughing, potato-digging, and seed-sowing machines to
be used in the Colony.

Printing presses and printing types.

V. It is understood that if any reduction is made by the Colony of Newfoundland, at any time during the term of this Convention, in the rates of duty upon the articles named in Article IV of this Convention, the said reduction shall apply to the United States.

VI. The present Convention shall be duly ratified by Her Britannic Majesty and by the President of the United States of America, by and with the advice and consent of the Senate thereof, and the ratifications shall be exchanged at Washington on the 1st day of February, 1891, or as soon thereafter as practicable.

Its provisions shall go into effect thirty days after the exchange of ratifications, and shall continue and remain in full force for the term of five years from the date at which it may come into operation, and further until the expiration of twelve months after either of the Contracting Parties shall give notice to the other of its wish to terminate the same, each of the Contracting Parties being at liberty to give such notice to the other at the end of the said term of five years, or at any time afterwards.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention, and have hereunto affixed our seals.

[1890-91. LXXXIII.]

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Done in duplicate at Washington, this day of ,
in the year of our Lord 1890.

No. 48.—Sir J. Pauncefote to the Marquess of Salisbury.

(Extract.)

Washington, January 6, 1891.

WITH reference to previous correspondence respecting trade relations between the United States and Newfoundland, I have the honour to inform your Lordship that I was this day requested by the Secretary of State to call on him at the State Department to receive a communication from him on the subject.

At this interview Mr. Blaine said that after considering the information supplied to him by Mr. Bond, and the wishes of the Newfoundland Government which I had privately placed before him at his request last October in the form of a draft Convention, he was unable to accept the proposed arrangement in its entirety, but that he had framed a counter-draft, of which he delivered a copy to me, showing to what extent, and on what conditions, his Government were disposed to go in the direction of commercial reciprocity with the Colony.

I have the honour to inclose a copy of that document.

I informed Mr. Blaine that I would transmit the draft and report the substance of his observations thereon to your Lordship by the first opportunity.

The Marquess of Salisbury.

JULIAN PAUNCEFOTE.

(*Inclosure.*)—*Draft Convention between Great Britain and the United States of America, for the Improvement of Commercial Relations between the United States and Her Britannic Majesty's Colony of Newfoundland.*

THE Governments of Great Britain and the United States, desiring to improve the commercial relations between the United States and Her Britannic Majesty's Colony of Newfoundland, have appointed as their respective Plenipotentiaries, and given them full powers to treat of and conclude such Convention, that is to say :

Her Britannic Majesty on her part has appointed Sir Julian Pauncefote; and the President of the United States has appointed on the part of the United States, James G. Blaine, Secretary of State.

And the said Plenipotentiaries, after having exchanged their full powers, which were found to be in due and proper form, have agreed to and concluded the following Articles :—

ART. I. United States' fishing-vessels entering the waters of

Newfoundland shall have the privilege of purchasing herring, caplin, squid, and other bait fishes at all times on the same terms and conditions, and subject to the same penalties, in all respects as Newfoundland vessels.

They shall also have the privilege of touching and trading, selling fish and oil, and procuring supplies in Newfoundland, conforming to the Harbour Regulations, but without other charge than the payment of such light, harbour, and customs dues as are or may be levied on Newfoundland fishing-vessels.

II. Dry codfish, cod oil, seal oil, sealskins, herrings, salmon, trout and salmon trout, lobsters, cod roes, tongues, and sounds, the product of the fisheries of Newfoundland, shall be admitted into the United States free of duty. Also all hogsheads, barrels, kegs, boxes, or tin cans, in which the articles above named may be carried, shall be admitted free of duty. It is understood, however, that "green" codfish are not included in the provisions of this Article.

III. The officer of the Customs at the Newfoundland port where a vessel laden with the articles named in Article II clears shall give to the master of said vessel a sworn certificate that the fish shipped were taken in the waters of Newfoundland; which certificate shall be countersigned by the Consul or Consular Agent of the United States, and delivered to the proper officer of Customs at the port of destination in the United States.

IV. When this Convention shall come into operation, and during the continuance thereof, the duties to be levied and collected upon the following enumerated merchandize imported into the Colony of Newfoundland from the United States shall not exceed the following amounts, viz. :—

Flour, 25 cents per barrel.

Pork, 1½ cents per lb.

Bacon and hams, tongues, smoked beef, and sausages, 2½ cents per lb., or 2 dol. 50 c. per 112 lb.

Beef, pigs' heads, hocks, and feet, salted or cured, ½ cent per lb.

Indian meal, 25 cents per barrel.

Peas, 30 cents per barrel.

Oatmeal, 30 cents per barrel of 200 lbs.

Bran, Indian corn, and rice, 12½ per cent. *ad valorem*.

Salt, in bulk, 20 cents per ton of 2,240 lbs.

Kerosene oil, 6 cents per gallon,

And the following articles imported into the Colony of Newfoundland from the United States shall be admitted free of duty :—

Agricultural implements and machinery imported by agricultural societies for the promotion of agriculture.

Crushing mills for mining purposes.

Raw cotton.

Corn for the manufacture of brooms.

Gas engines, when protected by patent.

Ploughs and harrows.

Reaping, raking, ploughing, potato-digging, and seed-sowing machines, to be used in the Colony.

Printing presses and printing types.

V. It is understood that if any reduction is made by the Colony of Newfoundland, at any time during the term of this Convention, in the rates of duty upon the articles named in Article IV of this Convention, the said reduction shall apply to the United States.

VI. The present Convention shall take effect as soon as the laws required to carry it into operation shall have been passed by the Congress of the United States on the one hand, and by the Imperial Parliament of Great Britain and the Provincial Legislature of Newfoundland on the other hand. Such assent having been given, the Convention shall remain in force for five years from the date at which it may come into operation, and further until the expiration of twelve months after either of the High Contracting Parties shall give notice to the other of its wish to terminate the same; each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said term of five years, or at any time afterwards.

VII. This Convention shall be duly ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at Washington on the 1st day of February, 1891, or as soon thereafter as practicable.

In faith whereof we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in duplicate, at Washington, this day of ,
in the year of our Lord 189 .

No. 55.—Lord Knutsford to the Governor of Newfoundland.

SIR,

Downing Street, February 12, 1891.

IN my telegram of the 9th instant I have informed you that Her Majesty's Government regret to find themselves still unable to sanction the conclusion of the proposed Convention between Newfoundland and the United States. This decision has not been arrived at without very full consideration of the wishes and arguments repeatedly pressed upon Her Majesty's Government by your advisers and yourself, nor without a strong endeavour to find some means of bringing the interests of Newfoundland into compatibility

with other Imperial interests. Up to the present time, however, that has proved impracticable, and the Convention, as to the feasibility of which Mr. Bond was, in September last, permitted to consult informally with Her Majesty's Minister at Washington, cannot at the present time be concluded.

There would appear to be some misapprehension in Newfoundland as to the circumstances in which Mr. Bond's visit to Washington was sanctioned by Her Majesty's Government, and I think it desirable to state briefly the general conditions under which all negotiations for separate commercial arrangements between individual Colonies and foreign States are necessarily conducted, and the limitations within which it was consequently possible for the present negotiation on behalf of Newfoundland to proceed.

Her Majesty's Government have raised no objection in principle to a separate negotiation with a foreign Power on behalf of one Colony only. It may be in some cases possible so to define the limits of the proposed Commercial Arrangement as to procure what the particular Colony desires without prejudicing the interests of those other portions of the Empire which are not included in the Arrangement. It will be within your recollection that this subject was discussed with much attention at the Colonial Conference held in London in 1887, and, although the balance of opinion in the Conference was against such separate Arrangements, it was admitted that Her Majesty's Government could not, having regard to the precedents which had been established, refuse to consider the merits of a Commercial Arrangement desired by one Colony only, and the effect which it might have on other British and colonial interests.

That course was taken when it was desired in 1886 to conclude a Trade Arrangement as between the British West Indian Colonies and the United States, and in that case, as in the present case of Newfoundland, it was, after much examination, found that the Convention could not, in the form in which it would be acceptable to the United States and the Colonies, be negotiated consistently with Imperial obligations and policy.

It was, therefore, under such well-recognized conditions and reservations that Her Majesty's Government readily consented, in September of last year, to the informal and unofficial visit of Mr. Bond to Washington for the purpose of communicating to Sir Julian Pauncefote the views and wishes of the Newfoundland Government.

The wish of the Newfoundland Government for a separate Trade and Fishery Arrangement with the United States had been brought before Her Majesty's Government in February 1890. They promised to consider the question with Sir W. Whiteway after his arrival in

England, and after explanations had been received from him, a letter introducing Mr. Bond was addressed to Her Majesty's Minister at Washington on the 8th August, 1890,* in which Sir Julian Pauncefote was informed that Mr. Bond had been commissioned by the Newfoundland Government to communicate to him their views and wishes with regard to the desired Arrangement.

After conferring with Mr. Bond, Sir J. Pauncefote introduced him to Mr. Blaine, and also submitted informally to Mr. Blaine, at his request, the draft of a Convention which would meet the views of the Newfoundland Government.

The time had then arrived for considering how far that Convention might affect other interests than those of Newfoundland, and the Government of Canada, as being, of course, principally interested, was consulted. As you are aware, the Dominion Government at once pointed out the injury to Canadian interests which would result from the conclusion of a distinct Arrangement, whereby the United States would secure an important advantage in consideration of which Canada as well as Newfoundland had on previous occasions obtained material concessions from the United States; and it also became apparent that the United States' Government was not disposed to extend to Canada the same limited Arrangement as it might be willing to adopt in the case of Newfoundland alone.

It was therefore determined to consider whether, *pari passu* with the Newfoundland negotiation, an arrangement for reciprocity on a broader basis between Canada and the United States could be negotiated, and until it has been more definitely ascertained whether this latter negotiation can now proceed, the Newfoundland Convention must remain in abeyance.

I greatly regret that your Ministers should have resented the action taken by Her Majesty's Government in guarding the interests of other portions of the Empire, while endeavouring to give effect to the wishes of Newfoundland; but I trust that I have made it clear to them that, while Her Majesty's Government are willing to assist a Colony in negotiating a separate Commercial Arrangement, they cannot conclude such an Arrangement as long as it is not compatible with those other Imperial interests and obligations which it is their duty to regard.

I may, in conclusion, remind you that in the past, when Treaties have been negotiated with the United States on behalf of Canada, the interests and wishes of Newfoundland have always been borne in mind.

I have, &c.,

Sir T. O'Brien.

KNUTSFORD.

* Qy. 10th September, 1890.

CONSTITUTION of the United States of Brazil.—Rio de Janeiro, February 24, 1891.

(Translation.)

TITLE I.—Of the Federal Organization.

Preliminary Provisions.

ART. 1. The Brazilian nation adopts as a form of Government under the representative system the Federal Republic proclaimed on the 15th November, 1889, and constitutes itself, by the perpetual and indissoluble union of its former provinces, into the United States of Brazil.

ART. 2. Each of the former provinces will form a State, and the former neutral municipality will constitute the Federal District, and continue to be the capital of the Union, until the provisions of the following Article shall have been carried out.

ART. 3. A zone of 14,400 square kilom. on the central plateau of the Republic, which will be marked out in due course in order to found therein the Federal capital, is reserved for the Union.

§. When the transfer of the capital has been effected, the present Federal District shall become a State.

ART. 4. The States may become incorporated one with another, may be subdivided or dismembered in order to annex themselves to others, or to form new States, with the assent of the respective Legislative Assemblies granted at two successive annual Sessions, and with the approbation of the National Congress.

ART. 5. It is incumbent on each State to provide at its own expense for the needs of its Government and Administration; the Union, however, will afford assistance to any State which, in case of public misfortune, may apply therefor.

ART. 6. The Federal Government cannot intervene in matters exclusively affecting the States, except for the purpose of—

1. Repelling foreign invasion, or the invasion of one State by another;

2. Maintaining the Federal Republican form of Government;

3. Re-establishing order and tranquillity in the States at the request of their respective Governments;

4. Insuring the execution of the Federal laws and sentences.

ART. 7. It is the exclusive province of the Union to decree—

1. Duties on imports of foreign origin;

2. Dues on the entry, departure, and stay of vessels, the coasting trade being free to native goods, as also to foreign goods, if the latter have already paid import duty;

3. Stamp taxes, saving the restriction mentioned in Article 9, § 1, No. 1;

4. Federal, postal, and telegraph taxes.

§ 1. It is also the exclusive province of the Union—

- (1.) To regulate the establishment of banks of issue;
- (2.) To establish and maintain custom-houses.

§ 2. The taxes decreed by the Union must be uniform for all the States.

§ 3. The laws of the Union and the acts and sentences of its officers shall be carried out throughout the entire country by Federal officers; the execution of the former, however, may be intrusted to the Governors of the States, provided the latter consent to this course.

Art. 8. The Federal Government is prohibited from creating in any way distinctions or preferences in favour of the ports of some States as against those of others.

Art. 9. It is the exclusive province of the States to establish taxes—

1. On the exportation of goods of their own production;
2. On rural and urban real property;
3. On the transfer of property;
4. On industries and professions.

§ 1. It is also the exclusive province of the States to decree—

(1.) Stamp duties on Acts emanating from their respective Governments, and on transactions concerning their own internal economy;

(2.) Contributions concerning their telegraph and postal service.

§ 2. The produce of other States is exempt from duty in the State through which it is exported.

§ 3. It is only lawful for a State to impose duties on the importation of foreign merchandize when the same is destined for consumption within that State, the proceeds of the duty reverting, however, to the Federal Treasury.

§ 4. The States are secured the right of establishing telegraph lines between different points of their own territory, or between it and that of other States which are not served by the Federal lines, the Union being authorized to expropriate them whenever such a course is of public advantage.

Art. 10. The States are prohibited from taxing Federal property and revenues, or services undertaken on account of the Union, and *vice versa*.

Art. 11. The States, as well as the Union, are prohibited from—

1. Creating any dues on transit through the territory of any State, or on passage from one State to another for the products of other States, or for foreign products, as also for the vehicles transporting the same, whether by land or water;

2. Establishing, endowing, or interfering with the exercise of any form of religious worship ;

3. Enacting retrospective laws.

Art. 12. In addition to the sources of revenue mentioned in Articles 7 and 9, it is lawful for the Union or the States to create, jointly or otherwise, any others which do not contravene what is laid down in Articles 7, 9, and 11 (No. 1).

Art. 13. The right of the Union and of the States to legislate in regard to railways and internal navigation will be regulated by a Federal law.

§. The coasting trade will be carried on by national vessels.

Art. 14. The land and sea forces are permanent national institutions intended to defend the country abroad, and to uphold the laws at home.

The armed forces owe essential obedience, within the limits of the law, to their lawful superiors, and are bound to uphold the constitutional institutions.

Art. 15. The national sovereignty is exercised by means of the legislative, executive, and judicial power, harmonious and independent as regards each other.

Section 1.—*Of the Legislative Power.*

Chapter 1.—*General Provisions.*

Art. 16. The legislative power is exercised by the National Congress, with the sanction of the President of the Republic.

§ 1. The National Congress is composed of two branches, the Chamber of Deputies and the Senate.

§ 2. The election of Senators and Deputies will take place simultaneously over the whole country.

§ 3. Nobody can be a Senator and a Deputy at one and the same time.

Art. 17. Congress will meet in the Federal capital, without being convoked, on the 3rd May of each year, unless the law should assign another date, and will sit for four months from the date of opening ; it may be prorogued, adjourned or convoked extraordinarily.

1. Congress alone has the right to decide respecting the prorogation or adjournment of its Sessions.

2. Each Legislature shall last three years.

3. The Government of any State in the representation of which a vacancy occurs, from whatsoever cause, including resignation, will at once order a new election.

Art. 18. The Chamber of Deputies and the Senate will work

separately, and, unless otherwise determined, by a majority of votes, in public Session. Decisions will be taken by a majority of votes, provided there are present in each Chamber an absolute majority of its members.

§. It belongs to the province of each Chamber—

To verify and recognize the powers of its members ;

To elect its own officers ;

To draw up its internal regulations ;

To regulate its internal police ;

To appoint the clerks of its Secretary's office.

Art. 19. Deputies and Senators are inviolable on account of their opinions, words, and votes in discharge of their duties.

Art. 20. Deputies and Senators, from the time they have received their diploma until a new election, cannot be arrested or proceeded against criminally without the previous consent of their Chamber, except in the case of *flagrante delicto* in a crime for which bail cannot be allowed. In this case, the proceedings being brought to a close, with the exception of the final verdict, the prosecuting authority shall submit the documents to the respective Chamber for it to determine on the expediency of an impeachment, unless the accused prefers to submit to immediate judgment.

Art. 21. The members of both Chambers will, on taking their seats, enter into a formal engagement in public Session, duly to perform their duties.

Art. 22. During the Sessions the Senators and Deputies will receive the same salary, in addition to a supplementary grant for expenses. The amount of these shall be determined by Congress at the end of each Legislature for the following one.

Art. 23. No member of Congress may, after being elected, conclude contracts with the Executive Power, or accept from it any paid commission or office.

§ 1. The following are exceptions to this prohibition :—

(1.) Diplomatic missions.

(2.) Military commissions or commands.

(3.) Legal appointments and promotions.

§ 2. No Deputy or Senator, however, may accept a nomination to any missions, commissions, or commands referred to in Nos. 1 and 2 of the foregoing section without the previous consent of the Chamber to which he belongs, whenever such acceptance could prevent him from exercising his legislative functions, except in case of war, or when the honour or integrity of the Union are at stake.

Art. 24. No Deputy or Senator may either be President, or take part in the management, of any Banks, Companies, or undertakings which enjoy any privileges granted by the Federal Government and defined by law.

§. The disregard of the provisions contained in this and the preceding Article entails forfeiture of the seat in Congress.

Art. 25. A seat in the Legislature is incompatible with the exercise of any other office during the Sessions of Congress.

Art. 26. The following are the qualifications for election to the National Congress:—

1. The possession of the rights of Brazilian citizenship and registration as an elector.

2. For the Chamber of Deputies, not less than four years of Brazilian citizenship, and for the Senate, not less than six are necessary.

This provision does not apply to the citizens mentioned in No. 4 of Article 69.

Art. 27. Congress will declare by a special Law what are the cases of electoral incapacity.

Chapter 2.—*Of the Chamber of Deputies.*

Art. 28. The Chamber of Deputies is composed of the representatives of the people elected by the States and by the Federal district, by means of direct suffrage, the representation of the minority being guaranteed.

§ 1. The number of Deputies will be fixed by law in a proportion of not more than one Deputy for every 70,000 inhabitants, but there must not be less than four Deputies to a State.

§ 2. For this purpose the Federal Government will order a census of the population of the Republic to be taken at once, which census will be revised every ten years.

Art. 29. It is the province of the Chamber of Deputies to take the initiative in proposing the adjournment of the Session, all Laws respecting taxes, Laws fixing the number of the land and sea forces, and in discussing Bills presented by the Executive Power; as also to declare whether there are sufficient grounds, or not, for impeaching the President of the Republic under the provisions of Article 53, and the Ministers of State in the case of crimes connected with those of the President.

Chapter 3.—*Of the Senate.*

Art. 30. The Senate is composed of citizens eligible in accordance with the terms of Article 26 and who are over thirty-five years of age, to the number of three Senators for each State and three for the Federal district, to be elected in the same way as the Deputies.

Art. 31. The mandate of Senator will last for nine years, one-third of the Senate being renewed triennially.

§. A Senator elected to fill up a vacancy will exercise his mandate during the unexpired term of office of the Senator whom he replaced.

Art. 32. The Vice-President of the Republic will be President of the Senate, where he will only have a casting vote, and when absent or incapacitated from performing his duties he will be replaced by the Vice-President of the said Chamber.

Art. 33. It is the exclusive province of the Senate to try the President of the Republic and such other Federal functionaries as the Constitution expressly mentions, under the conditions and according to the forms prescribed by the same.

§ 1. When the Senate sits as a Court of Law it will be presided over by the President of the Supreme Federal Tribunal.

§ 2. It can only pronounce a sentence of condemnation in accordance with a vote of two-thirds of the members present.

§ 3. It cannot inflict any penalties beyond the loss of office and ineligibility to fill another, without prejudice to the action of the ordinary Courts of Justice against the accused.

Chapter 4.—*Of the Powers of Congress.*

Art. 34. It is the exclusive province of the National Congress—

1. To estimate the Federal receipts and to fix the amount of Federal expenditure each year, and to examine the accounts of the receipts and expenditure of each financial year.

2. To authorize the Executive Power to contract loans and undertake other operations of credit.

3. To legislate in regard to the Public Debt, and to establish means for its payment.

4. To regulate the collection and distribution of Federal revenues.

5. To regulate foreign trade and also that of the States among themselves and with the Federal district, and to establish custom-houses at the outports and to create or suppress bonded warehouses.

6. To legislate respecting the navigation of rivers which flow through more than one State, or extend into foreign territories.

7. To settle the weight, value, inscription, type, and denomination of coins.

8. To establish banks of issue, legislate in regard to the emission of notes, and impose taxes thereon.

9. To determine the standard of weights and measures.

10. To decide in the last resort in cases respecting the boundaries of the States among themselves, those of the Federal district and those of the national territory with neighbouring nations.

11. To authorize the Government to declare war if recourse be not had to arbitration, or if the same should fail, and also to make peace.

12. To decide in the last resort as to Treaties and Conventions with foreign countries.

13. To change the capital of the Union.

14. To grant subsidies to the States under the circumstances mentioned in Article 5.

15. To legislate in regard to the Federal Postal and Telegraph Service.

16. To take the measures necessary for the safety of the frontiers.

17. To fix annually the number of the land and sea forces.

18. To legislate on the organization of the army and navy.

19. To grant or refuse to foreign forces the right of passage through the national territory for the purpose of military operations.

20. To mobilize and employ the National Guard, or citizen militia, in the cases provided for by the Constitution.

21. To declare one or more places in the national territory to be in a state of siege in an emergency of foreign aggression, or internal disorder, and to approve, or suspend, the state of siege which may have been declared by the Executive Power, or its responsible agents, during the recess of Congress.

22. To determine the conditions and procedure of election to Federal offices throughout the country.

23. To legislate in regard to the civil, commercial, or criminal law of the Republic, and to the procedure of the Federal judiciary.

24. To establish uniform laws in regard to naturalization.

25. To create and suppress Federal public offices and to settle the duties and salaries attaching to the same.

26. To organize the Federal judiciary in accordance with the provisions of Article 55 and the following ones of section 3.

27. To grant an amnesty.

28. To commute, or remit, penalties imposed on Federal officers for breaches of duty.

29. To legislate in regard to lands or mines belonging to the Union.

30. To legislate in regard to the municipal organization of the Federal district, as also in regard to the police, higher education, and the other services which have been reserved in the Federal capital to the Government of the Union.

31. To subject to special legislation those places in the territory of the Republic which are needed for the establishment of arsenals, or other establishments and institutions for Federal use.

32. To regulate cases of extradition between the States.

33. To decree the necessary Laws and Resolutions for the exercise of the powers which belong to the Union.

34. To decree the organic Laws necessary for the entire execution of the Constitution.

35. To prorogue and adjourn its sessions.

Art. 35. It is also the duty, but not the exclusive duty, of Congress—

1. To watch over the keeping of the Constitution and the Laws, and to provide for necessities of a Federal character.

2. To encourage the development of literature, arts, and sciences, as well as of immigration, agriculture, industry, and trade in the country, without granting privileges which might interfere with the action of the local Governments.

3. To establish institutions for higher, and secondary, education in the States.

4. To provide for superior and secondary education in the Federal district.

Chapter 5.—*Of Laws and Resolutions.*

Art. 36. Saving the exceptions mentioned in Article 29, all Bills may be originated indiscriminately in either Chamber on the initiative of any member.

Art. 37. A Bill when adopted in one of the Chambers shall be submitted to the other, and the latter, if it approves it, will send it to the Executive Power, which, on assenting thereto, will sanction and promulgate the same.

§ 1. If, however, the President of the Republic should deem the Bill to be unconstitutional, or opposed to the interests of the nation, he can refuse his sanction to it within a term of ten working days from the time when it was presented to him, returning it within the said period to the Chamber where it originated, with the reasons for his refusal.

§ 2. Silence on the part of the President during the ten days implies sanction; in case of the Presidential sanction being refused when Congress is not sitting, the President will publish his reasons.

§ 3. The Bill having been returned to the Chamber which originated it, there it will be subjected to discussion and to a nominal (*i.e.*, an open) vote, and will be considered as approved if it obtain the support of two-thirds of the members present. In this case the Bill will be sent to the other Chamber, which, if it approve it in the same terms and by a like majority, will send it as law to the Executive Power for promulgation.

§ 4. The assent to, and promulgation of, the Law will be effected in the following terms :—

(1.) The National Congress decrees, and I sanction, the following Law (or Resolution).

(2.) The National Congress decrees, and I promulgate, the following Law (or Resolution).

Art. 38. In the cases mentioned under §§ 2 and 3 of Article 37, if the Law be not promulgated within forty-eight hours by the President of the Republic, the President of the Senate, or its Vice-President if the former has not done so within the same time, shall promulgate it, making use of the following form :—

“I, _____, President (or Vice-President) of the Senate, do hereby notify all who may see these presents that the National Congress has decreed, and promulgates, the following Law (or Resolution).”

Art. 39. A Bill brought in by one Chamber and amended by the other will be returned to the former, which, if it accept the amendments, will send the Bill amended accordingly to the Executive Power.

§ 1. When the reverse is the case, the Bill will be sent back to the revising Chamber, and, should the alterations obtain two-thirds of the votes of the members present, the same will be considered to have been approved, and they will then be sent back to the Chamber where the Bill originated. This Chamber can then only reject the amendments by the above-mentioned majority.

§ 2. If the amendments are thus rejected, the Bill will be presented for sanction without them.

Art. 40. Bills which have been rejected, or have not been sanctioned, cannot be reintroduced in the same Legislative Session.

Section 2.—*Of the Executive Power.*

Chapter 1.—*Of the President and Vice-President.*

Art. 41. The President of the Republic of the United States of Brazil exercises the Executive Power as the Elective Chief of the nation.

§ 1. The Vice-President, who is elected simultaneously with the President, will replace the latter if incapacitated, and succeed him in the event of his death or removal.

§ 2. Should the Vice-President be incapacitated or die, the President or Vice-President of the Senate, the Presidents of the Chamber of Deputies and of the Supreme Federal Tribunal, will be successively called to the Presidency.

§ 3. The following are indispensable conditions for election to the Presidency or Vice-Presidency of the Republic:—

- (1.) To be a native-born Brazilian.
- (2.) To be in the enjoyment of political rights.
- (3.) To be not less than thirty-five years of age.

Art. 42. In the event of the Presidency or Vice-Presidency being vacant, from whatever cause, before two years of the Presidential term have elapsed, a new election must take place.

Art. 43. The President will hold his office for four years, and cannot be re-elected for the Presidential period immediately following.

§ 1. A Vice-President who holds the office of President during the last year of the Presidential term cannot be elected President for the ensuing term.

§ 2. The President will necessarily cease to perform the duties of his office on the very day when his Presidential term ends, being at once succeeded by the one who has just been elected.

§ 3. If the latter be incapacitated or absent, he will be replaced in the manner prescribed by Article 41, §§ 1 and 2.

§ 4. The first Presidential term will end on the 15th November, 1894.

Art. 44. On assuming office the President will make the following declaration before Congress in Session, or, if the latter be not assembled, before the Supreme Federal Tribunal:—

“I promise to maintain and carry out with perfect loyalty the Federal Constitution, to promote the general welfare of the Republic, keep its laws and uphold its unity, integrity, and independence.”

Art. 45. Neither the President nor Vice-President may leave the country without permission from Congress, under pain of losing their office.

Art. 46. The President and Vice-President will receive a salary to be fixed by Congress in the preceding Presidential term.

Chapter 2.—*Of the Election of the President and Vice-President.*

Art. 47. The President and Vice-President of the Republic will be elected by the direct suffrage of the nation and by an absolute majority of votes.

§ 1. The election will take place on the 1st day of March of the last year of the Presidential term of office, and the counting of the votes received in the several districts will be carried out at the Federal capital and at the capitals of the States. Congress will examine the votes during its first Session of the same year, irrespective of the number of members present.

§ 2. If none of the candidates has obtained an absolute majority of votes, Congress will select, by a majority of the votes of those present, one of those who obtained the two highest number of votes in the direct election.

In case of the votes being equally divided, the elder of the two will be considered as elected.

§ 3. The mode of election and of counting the votes will be regulated by ordinary law.

§ 4. The blood relations and connections in the first and second degrees of the President and Vice-President who are in office at the time of the election, or who may have resigned within six months, are ineligible for the office of President or Vice-President.

Chapter 3.—*Of the Attributes of the Executive Power.*

Art. 48. It is the exclusive province of the President of the Republic—

1. To sanction, promulgate, and cause to be published the Laws and Resolutions of Congress, and to issue decrees, instructions, and regulations to secure their faithful execution.

2. To freely appoint and dismiss the Ministers of State.

3. To exercise, or nominate the person who shall exercise, the supreme command of the land and sea forces of the United States of Brazil, when the same are called to arms for the internal or external defence of the Union.

4. To administer the army and navy, and distribute the forces belonging thereto in accordance with the Federal laws and the requirements of the National Government.

5. To fill up the civil and military offices of a Federal character, with due regard to the express restrictions laid down in the Constitution.

6. To pardon and commute punishments for crimes committed within the Federal jurisdiction, excepting the cases referred to in Article 34, No. 28, and Article 52, § 2.

7. To declare war and make peace in accordance with the terms of Article 34, No. 11.

8. To declare war immediately in cases of foreign invasion or attack.

9. To report to Congress every year on the situation of the country, pointing out urgent measures and reforms to be effected, in a Message he will present to the Secretary to the Senate on the opening day of the Legislative Session.

10. To convene Congress in extraordinary Session.

11. To appoint Federal Magistrates upon the recommendation of the Supreme Tribunal.

12. To appoint the members of the Supreme Federal Tribunal, as also Diplomatic Ministers, submitting such appointments to the Senate for approval. During the recess of Congress, to appoint them temporarily until the Senate shall decide.

13. To appoint the other members of the Diplomatic Body and Consular Agents.

14. To maintain relations with foreign States.

15. Either in person, or through his responsible agents, to proclaim a state of siege in any part of the country in cases of foreign attack or serious internal disturbance (Article 6, No. 3 Article 34, No. 21, and Article 80).

16. To enter into international negotiations, conclude Agreements, Conventions, and Treaties, but always subject to reference to Congress, and likewise to approve of those concluded by the States in accordance with Article 65, submitting the same, when necessary, to the authority of Congress.

Chapter 4.—*Of the Ministers of State.*

Art. 49. The President of the Republic is assisted by the Ministers of State, who are his confidential agents and countersign his acts, and each of whom will preside over one of the Departments into which the Federal Administration is divided.

Art. 50. The Ministers of State are precluded from taking over any other office or public function, nor can they be elected President or Vice-President of the Union, Deputy, or Senator.

§. A Deputy or Senator who accepts the post of Minister of State will vacate his seat, and a new election, at which he cannot be elected, must at once be held.

Art. 51. The Ministers of State may not appear at the sittings of Congress, and they will only communicate with that body in writing, or by personal interviews with Committees of the Chambers.

The Annual Reports of the Ministers will be addressed to the President of the Republic, and will be distributed to all the members of Congress.

Art. 52. The Ministers of State are not responsible to Congress or to the Tribunals for advice given to the President.

§ 1. They are, however, answerable in regard to their own acts for crimes defined by law.

§ 2. In the case of ordinary crimes and breaches of duty, they will be prosecuted and tried by the Supreme Federal Tribunal, and when accessories to crimes committed by the President of the Republic, they will be dealt with by the authority competent to try the latter.

Chapter 5.—*Of the Responsibility of the President.*

Art. 53. The President of the United States of Brazil will, after the Chamber of Deputies has declared that there is sufficient ground for his impeachment, be prosecuted and tried in the case of ordinary crimes before the Supreme Federal Tribunal, and in cases of breach of duty ("crime de responsabilidade") before the Senate.

§. Upon the declaration that there is sufficient ground for impeachment, the President will be suspended from his functions.

Art. 54. The following are breaches of duty ("crimes de responsabilidade") on the part of the President of the Republic, viz., acts which endanger—

1. The political existence of the Union.
2. The Constitution and the Federal form of government.
3. The free exercise of political powers.
4. The enjoyment and lawful exercise of political or individual rights.
5. The internal security of the country.
6. The purity of the administration.
7. The safe custody and constitutional appropriation of public moneya.
8. The Budget Laws voted by Congress.

§ 1. These offences will be defined by a special Law.

§ 2. Another Law will regulate the mode of impeachment, procedure, and trial.

§ 3. Both these Laws will be passed in the first Session of the first Congress.

Section 3.—*Of the Judicial Power.*

Art. 55. The Judicial Power of the Union shall be exercised by a Supreme Federal Tribunal, with its seat in the capital of the Republic, and by as many Federal Judges and Courts throughout the country as Congress may establish.

Art. 56. The Supreme Federal Tribunal will be composed of fifteen Judges appointed in the manner laid down by Article 48, No. 12, from among citizens of noted knowledge and reputation possessing the necessary qualifications for election to the Senate.

Art. 57. The Federal Judges are appointed for life, and can only lose their offices by a judicial sentence.

§ 1. Their salaries will be settled by law, and may not be reduced.

§ 2. In the case of breaches of duty, the Senate will try the

members of the Supreme Federal Court, and the latter the inferior Federal Judges.

Art. 58. The Federal Courts will elect their Presidents from among their members, and organize their respective Secretariats ("Secretarias").

§ 1. The appointment and dismissal of the officials of these Secretariats, as also the filling up of the minor offices of the Courts within their judicial circuits, respectively concerns Presidents of the Courts.

§ 2. The President of the Republic will nominate from among the members of the Supreme Federal Tribunal the Attorney-General of the Republic, whose functions will be defined by law.

Art. 59. It is the province of the Supreme Federal Tribunal:—

1. To prosecute and try in the first instance and exclusively—

(a.) The President of the Republic, in the case of ordinary crimes, and Ministers of State in the cases mentioned in Article 52;

(b.) Diplomatic Ministers, in cases of ordinary crimes and breaches of duty;

(c.) Disputes and conflicts of jurisdiction between the Union and the States, or between the States themselves;

(d.) Suits and claims between foreign nations and the Union or the States;

(e.) The conflicts of jurisdiction between Federal Judges and Courts among themselves, or between them and those of the States, as also between the Judges and Courts of one State and those of another State.

2. To try, on appeal, cases decided by the Federal Judges and Courts, as also those treated of in § 1 of this Article and in Article 60.

3. To revise trials that are terminated, in the terms of Article 81.

§ 1. There will be an appeal in the last instance from the sentences of the States' Judiciaries to the Supreme Federal Court—

(a.) When there is a question as to the validity or application of Federal Treaties and Laws, and the decision of the State Tribunal is against such validity or application;

(b.) When the validity of Laws or Acts of the States' Governments is disputed, in view of the provisions of the Constitution or of Federal Laws, and the decision of the State Court considers the Acts in question to be valid, or the laws to have been violated.

§ 2. In cases where the States' Laws have to be applied, the Federal Judiciary will consult the jurisprudence of the local Courts, and *vice versa* the States' Judiciary will consult the juris-

prudence of the Federal Courts when laws of the Union have to be interpreted.

Art. 60. It is the province of the Federal Judges or Courts to try the following cases :--

(a.) Suits in which one of the parties founds his action or defence on a provision of the Federal Constitution ;

(b.) All suits instituted against the Government of the Union, or against the National Treasury, which are based on provisions of the Constitution, Laws, or Regulations of the Executive Power, or on contracts entered into with the above-named Government ;

(c.) Suits arising out of compensations, claims for recovery, indemnities for loss, or any other suits instituted by the Union Government, against private individuals, or *vice versa* ;

(d.) Suits between one State and citizens of another, or between citizens of different States, where the laws of the latter vary ;

(e.) Suits between foreign States and Brazilian citizens ;

(f.) Actions instituted by foreigners, and based either on contracts with the Union Government, or on Conventions or Treaties between the Union and other nations ;

(g.) Questions of maritime law and of navigation, either on the ocean, or on the rivers or lakes of the country ;

(h.) Questions of criminal or civil international law ;

(i.) Political crimes.

§ 1. Congress is prohibited from intrusting any Federal jurisdiction to the Judiciaries of the States.

§ 2. The sentences and orders of the Federal Magistracy are to be executed by judicial officers of the Union, to whom the local police are bound to render help when they ask for it.

Art. 61. The decisions of the Judges and Courts of the States, in matters within their jurisdiction, will put an end to suits and questions, except as regards—

1. The *habeas corpus* ;

2. The property of deceased foreigners, when the case is not provided for by a Convention or Treaty ;

In such cases there will be the option of an appeal to the Supreme Federal Tribunal.

Art. 62. The States' Judiciaries may not interfere in questions submitted to the Federal Courts, nor may they annul, change, or suspend the sentences or orders of the latter. And, reciprocally, the Federal Judiciary may not interfere in questions submitted to the State Courts, nor annul, change, or suspend the decisions or orders of the latter, excepting in the cases expressly mentioned in this Constitution.

TITLE II.—*Of the States.*

Art. 63. Each State will be governed by the Constitution, and by the laws it may adopt, observing the constitutional principles of the Union.

Art. 64. Mines and waste lands are the property of the States in which they are situated, the Union reserving so much land only as is necessary for frontier defences, fortifications, and Federal military works and railways.

§. National real property not required for Union purposes will belong to the State in which it may be situated.

Art. 65. The States are free—

1. To conclude among themselves Treaties and Conventions of a non-political nature (Article 48, No. 16).

2. To exercise, in general, each and every power or right which is not denied them by an express clause, or one implicitly contained in an express clause, of the Constitution.

Art. 66. The States are precluded from—

1. Refusing recognition to documents of the Union, or of other States, of a legislative, administrative, or judicial character ;

2. Rejecting coin or bank-notes in circulation by order of the Federal Government ;

3. Waging or declaring war among themselves, or using reprisals ;

4. Refusing the extradition of criminals claimed by the Judiciaries of other States, or by the Federal District, in accordance with the Union laws which regulate matters of this nature (Article 34, No. 32).

Art. 67. Saving restrictions specified in the Constitution and in the Federal laws, the Federal District will be administered by its municipal authorities.

§. Expenditure of a local nature in the Federal capital solely concerns the municipal authorities.

TITLE III.—*Of the Municipalities.*

Art. 68. The States will organize themselves in such a way as to guarantee the autonomy of the municipalities in all that concerns their particular interests.

TITLE IV.—*Of Brazilian Citizens.*Section 1.—*Of the Qualifications of Brazilian Citizenship.*

Art. 69. The following are Brazilian citizens :—

1. Persons born in Brazil, even of a foreign father, if the latter be not residing (in Brazil) in the service of his country ;

2. Children of a Brazilian father and illegitimate children of a Brazilian mother born in a foreign country, if they have established their domicile in the Republic ;

3. Children of a Brazilian father who is in the service of the Republic in a foreign country, even if they do not come and reside in the Republic ;

4. Foreigners who, having been in Brazil on the 15th November, 1889, shall not have declared, within six months after the Constitution comes into force, their intention to retain their original nationality ;

5. Foreigners who possess real property in Brazil, and who have married Brazilian women, or have Brazilian children, so long as they reside in Brazil, unless they announce their intention of not changing their nationality ;

6. Foreigners otherwise naturalized.

Art. 70. Citizens of twenty-one years of age who are registered according to law are electors.

§ 1. The following cannot be registered as electors for the Federal or State elections :—

(1.) Mendicants ;

(2.) Illiterate persons ;

(3.) Non-commissioned officers, soldiers, or sailors, excepting pupils of military schools for higher military education ;

(4.) Members of monastic orders, companies, congregations, or communities, of whatsoever denomination, who are subject to a vow of obedience, rule, or Statute, which involves the renunciation of individual liberty.

§ 2. Citizens disqualified from registration (as electors) are ineligible.

Art. 71. The rights of Brazilian citizenship are suspended or lost only in the following cases :—

§ 1. They are suspended—

(a.) Through physical or moral incapacity ;

(b.) Through a criminal sentence, as long as the effects thereof last.

§ 2. They are lost—

(a.) Through naturalization in a foreign country ;

(b.) Through acceptance of employment or pension from a foreign Government without the consent of the Federal Executive Power.

§ 3. A Federal Law will settle the conditions on which the rights of Brazilian citizenship may be re-acquired.

Section 2.—*Declaration of Rights.*

Art. 72. The Constitution insures to Brazilians and foreigners resident in the country the inviolability of their rights with regard to liberty, personal safety, and property, in the following terms:—

§ 1. No one can be forced to do anything, or to desist from doing anything, except by virtue of a law.

§ 2. All men are equal in the eyes of the law.

The Republic does not admit of any privileges of birth, or recognize any prerogatives of nobility, and abolishes all existing orders of merit, their prerogatives and insignia, as also all titles of nobility and titles of Councillor.

§ 3. All persons and religious professions may publicly and freely exercise their religion, forming Associations for this purpose, and acquiring property, so long as they observe the provisions of the ordinary law.

§ 4. The Republic only recognizes civil marriage, the celebration of which shall be gratuitous.

§ 5. Cemeteries will possess a secular character, and will be administered by the municipal authority, the exercise of their respective rites being free to all religions, provided they do not offend public morals or the laws.

§ 6. The teaching in the public schools will be secular.

§ 7. No religion or Church will receive an official subvention, nor have relations of dependence or alliance with the Government of the Union or that of the States.

§ 8. It is lawful for all to associate and unite freely without arms, and the police cannot interfere except to preserve order.

§ 9. Any one is allowed to make a representation by means of a petition to the public powers to denounce abuses on the part of the authorities, and to promote the calling to account of those who are guilty.

§ 10. In time of peace any one may enter or leave the country with his fortune and property, at such time and in such manner as he likes, without a passport.

§ 11. The house is the inviolable asylum of the private individual; nobody may enter it at night without the consent of the occupant, except to render assistance to the victims of crimes or accidents, nor during the daytime, except in the cases and in the manner prescribed by law.

§ 12. The expression of opinion on any subject through the press or the platform is free, without being subject to censorship, every one being answerable for the abuses he may commit in the cases and in the manner prescribed by law. Anonymity is forbidden.

§ 13. Except in cases of *flagrante delicto*, no arrest can be effected except after sentence has been pronounced on the accused, save in the cases determined by law, and upon the written order of a competent authority.

§ 14. No one may be kept in prison without a definite charge being preferred against him, excepting in the cases prescribed by law, nor be taken to prison, or kept there, if proper surety be offered in those cases where the law sanctions the same.

§ 15. No one shall be sentenced except by the competent authority by virtue of an existing law and in the manner prescribed by the same.

§ 16. The fullest defence will be secured by law to the accused, together with all resources and means essential to the same, from the moment of the indictment, copy of which must be delivered to the prisoner within twenty-four hours of his arrest, signed by the proper authority, with the names of the prosecutor and of the witnesses.

§ 17. The rights of property are maintained in their entirety, save as regards expropriation on the ground of necessity or of public utility, upon payment of compensation in advance.

Mines belong to the owners of the soil, subject to such limitations as are provided by law to promote the development of this branch of industry.

§ 18. The seal of correspondence is inviolable.

§ 19. No penalty will extend beyond the person of the delinquent.

§ 20. The penalty of the galleys and that of judicial banishment are abolished.

§ 21. The penalty of death is likewise abolished, saving the provisions of military law in time of war.

§ 22. The *habeas corpus* must always be granted whenever a person suffers from, or is in imminent danger of suffering from, violence or restraint illegally or through an abuse of power.

§ 23. Excepting in cases which, from their nature, are within the jurisdiction of special Judges, there will be no privileged Tribunal.

§ 24. The free exercise of any moral, intellectual, or industrial profession is guaranteed.

§ 25. Industrial inventions will belong to the inventors of the same, to whom a patent will be granted for a limited time, or a reasonable premium will be granted by Congress when it is expedient to make the invention public property.

§ 26. To authors of literary and artistic works the exclusive right of reproduction by printing or by any other mechanical process is guaranteed. The heirs of these authors will enjoy this right for such period as the law may determine.

§ 27. The law will also secure the ownership of trade-marks.

§ 28. No Brazilian citizen may, on account of his religious belief, or of a religious office, be deprived of his civil and political rights, or be exempted from the fulfilment of any civil duty.

§ 29. Those who may put forward the ground of religious belief with a view to obtaining exemption from any burden which the laws of the Republic impose on its citizens, and those who may accept any foreign order or title of nobility, will lose all their political rights.

§ 30. No tax of any kind may be collected except by virtue of a law authorizing the same.

§ 31. The system of trial by jury is maintained.

Art. 73. Public civil or military offices are accessible to all Brazilians so long as the conditions of special capacity prescribed by law are observed, the accumulation of paid offices being, however, prohibited.

Art. 74. Permanent commissions, posts, and offices are fully guaranteed.

Art. 75. Retiring pensions can only be granted to public officials who have been invalided in the service of the country.

Art. 76. Officers of the army or navy will only lose their commissions in consequence of a sentence of more than two years' imprisonment delivered by a competent Tribunal.

Art. 77. Soldiers and sailors will be tried by special jurisdiction in the case of military offences.

§ 1. This jurisdiction will consist of the Supreme Military Tribunal, the members of which will be appointed for life, and of the courts-martial necessary for the indictment and trial of the crimes in question.

§ 2. The organization and attributes of the Supreme Military Tribunal will be settled by law.

Art. 78. The specification of guarantees and rights laid down in the Constitution does not exclude other guarantees and rights which are not enumerated, but which follow from the form of government established by the Constitution, and from the principles laid down therein.

TITLE V.—*General Provisions.*

Art. 79. A citizen invested with the functions of any one of the three Federal powers cannot exercise those of any other.

Art. 80. Any part of the territory of the Union may be declared to be in a state of siege, the constitutional guarantees being suspended there for a definite time, when the safety of the Republic

requires such a course in case of foreign attack or internal disturbance (Article 34, No. 21).

§ 1. If Congress is not in Session and the country is in imminent danger, this power will be exercised by the Federal Executive Power (Article 48, No. 15).

§ 2. The latter must, however, during the state of siege, confine itself, as regards measures of repression imposed on individuals, to the following measures :—

(1.) Detention in a place not destined for ordinary criminals ;

(2.) Banishment to other parts of the national territory.

§ 3. As soon as Congress meets, the President will report the exceptional measures taken, and the reasons for the same.

§ 4. The authorities who may have ordered the taking of such measures are responsible for the abuses committed.

Art. 81. Criminal suits which have been concluded may at any time be revised by the Supreme Court for the benefit of the condemned in order to alter or confirm the sentence.

§ 1. The law will determine the cases for revision, as well as the mode of the revision, which may be claimed by the condemned person, by any outside person, or *ex officio* by the Public Prosecutor of the Republic.

§ 2. Upon revision, the penalties inflicted by the original sentence cannot be increased.

§ 3. The provisions of this Article extend to military trials.

Art. 82. Public officials are strictly responsible for abuses or neglect of which they may be guilty in the exercise of their offices, as also for laxity or negligence in not holding their subordinates properly responsible.

§. A public official must bind himself by a formal obligation, upon assuming office, to discharge his lawful duties.

Art. 83. The laws of the old régime remain in force, unless they have been revoked, in so far as they are not explicitly or implicitly opposed to the system of government established by the Constitution, or opposed to the principles of the latter.

Art. 84. The Government of the Union guarantees the payment of the internal and external public debt.

Art. 85. Officers of the regular line and of the auxiliary services of the navy will have the same commissions and privileges as those of the army who hold a corresponding rank.

Art. 86. Every Brazilian is bound to military service in defence of the country and of the Constitution in accordance with the Federal laws.

Art. 87. The Federal army will consist of contingents which the States and the Federal district are obliged to furnish, constituted in accordance with the annual Law fixing the numbers of the forces.

§ 1. A Federal Law will settle the general organization of the army in accordance with No. 18 of Article 34.

§ 2. The Union will undertake the military instruction of the various corps and branches of the army, as well as higher military education.

§ 3. Forced military enlistment is abolished.

§ 4. The army and the navy will be recruited by voluntary enlistment, without premium, and, failing this, will be manned by a previously organized system of conscription.

The navy will be manned partly from the naval school and the schools of naval apprentices, and partly from the merchant navy by means of conscription.

Art. 88. In no case will the United States of Brazil enter directly or indirectly upon a war of conquest, whether alone or in alliance with another nation.

Art. 89. A Court of Audit is established to balance the accounts of revenue and expenditure, and to verify their legality before they are presented to Congress.

The members of this Court will be appointed by the President of the Republic with the approval of the Senate, and they can only lose their places through a judicial sentence.

Art. 90. The Constitution may be amended at the initiative of the National Congress, or of the Legislatures of the States.

§ 1. A proposal for an amendment will be taken into consideration when it is presented by at least a fourth of the members of either of the Chambers of the National Congress and has been accepted after three discussions by two-thirds of the votes in both Chambers, or when it is asked for by two-thirds of the States in the course of one year, each State being represented by a majority of the votes of its Assembly.

§ 2. This proposal will be considered as approved if it be approved in the following year after three discussions by a majority of two-thirds of the votes in both Chambers of Congress.

§ 3. The proposal, when approved, will be signed by the Presidents and Secretaries of the two Chambers, and it will be incorporated in the Constitution as an integral part thereof.

§ 4. Bills having for their object the abolition of the Federative Republican form of government, or of the equal representation of the States in the Senate, cannot be introduced for discussion into the Congress.

Art. 91. Upon this Constitution being approved it shall be promulgated by the officers of Congress and signed by the members of the same.

Transitory Provisions.

ART. 1. This Constitution having been promulgated, Congress, sitting as a General Assembly, will next elect the President and Vice-President of the United States of Brazil by an absolute majority of votes on a first ballot, and, if no candidate obtain such an absolute majority, by a relative majority, on a second ballot.

§ 1. This election will be effected by means of two distinct ballots, respectively for the President and Vice-President, the votes for the President being received and counted first, and then those for the Vice-President in the same manner.

§ 2. The President and Vice-President who are elected in the manner laid down in this Article will occupy the Presidency and Vice-Presidency of the Republic during the first Presidential term.

§ 3. For this election no disqualifying causes will be enforced.

§ 4. The said election being over, Congress will declare its constituent mission attained, and, dividing into Chamber and Senate, will enter upon the exercise of its normal duties on the 15th June of the current year; nor will it on any pretence whatever be liable to be dissolved.

§ 5. In the first year of the first Legislature the Senate, immediately upon entering on its first preparatory work, will determine the first and second-third of its members whose term of office will cease at the end of the first and second triennial periods.

§ 6. The determination will be effected by means of three lists corresponding to the three-thirds, the Senators of each State and of the Federal district being divided according to the number of votes which they have respectively obtained, in such a way that the Senator who obtained the largest number of votes in the Federal district and in each of the States will be assigned to the third of the last triennial period, the other two names to the two following thirds in accordance with the number of votes obtained by them.

§ 7. In case of a tie, the oldest members will have the preference, and where the age is equal, the matter will be settled by lot.

ART. 2. The State which shall not have decreed its Constitution by the end of the year 1892 will by act of Congress be subjected to that of any one of the other States which may be most convenient for the purpose, until the State which is subjected to this régime shall amend the said Constitution in the manner prescribed therein.

ART. 3. As soon as the States are organized the Federal Government will hand over to them the administration of the Departments of Government which are within their province by the Constitution, and will put an end to the responsibility of the Federal Administra-

tion so far as regards such Departments and the payment of the respective staff.

Art. 4. While the States are engaged in regulating their expenditure during the time that they are organizing their Administrative Departments, the Federal Government will open special credits for them for this purpose, according to the conditions prescribed by law.

Art. 5. In the States which are in process of organization, the classification of the revenues prescribed by the Constitution will be in force.

Art. 6. For the first appointment to the Federal Judiciary and to that of the States, the Judges of First Instance and Judges of Appeal of most note will be chosen.

Those who are not admitted into the new Judicial organization, and have served for more than thirty years, will be pensioned on full salary. Those who have served for less than thirty years will continue to receive their salary until they have been accepted or pensioned at a salary corresponding to the length of their service.

The expense of pensioning or retiring Magistrates will be borne by the Federal Government.

Art. 7. Dom Pedro d'Alcántara, ex-Emperor of Brazil, is granted a pension which, dating from the 15th November, 1889, will insure him a decent subsistence for the rest of his life. The Congress will, in ordinary Session at its first meeting, fix the amount of this pension.

Art. 8. The Federal Government will acquire for the nation the house in which Dr. Benjamin Constant Botelho de Magalhães died, and will cause an inscription to be placed therein out of homage to the memory of the great patriot, the founder of the Republic.

§. The widow of the said Benjamin Constant will have the use of the said house during her lifetime.

We order all authorities whom this Constitution and its execution concern to execute it and cause it to be executed and observed faithfully and entirely as is therein prescribed.

It shall be published and carried out over the entire country.

Sessions Hall of the National Constituent Congress, in the city of Rio de Janeiro, the 24th day of February, 1891, and in the third year of the Republic.

[Here follow the signatures of the President of the Congress and of the Senators and Deputies.]

BRITISH NOTE, respecting the Denunciation of the Extradition Convention between British and Portuguese India of January 23, 1880, and the Convention between British and Portuguese India respecting Weights and Measures of*
March 18, 1880.†—Lisbon, February 4, 1891.‡

M. LE MINISTRE,

Lisbon, February 4, 1891.

WITH reference to the note which I had the honour to address to your Excellency on the 14th October last,§ and to your Excellency's reply of the 29th of that month, I have the honour to inform you that in denouncing the Goa Treaty of the 26th December, 1878,|| Her Majesty's Government intended the denunciation to apply also to the subsidiary Conventions of the 20th January, 1880,* respecting extradition, and of the 18th March, 1880,† respecting moneys, weights, and measures. A separate notice, however, of the termination of this latter Convention seems necessary under its 14th clause.

I am consequently instructed by the Marquess of Salisbury to give notice on behalf of Her Majesty's Government of the termination of the Convention of the 18th March, 1880.

I avail, &c.,

Senhor Barboza de Bocage.

G. G. PETRE.

BRITISH NOTIFICATION of the Denunciation of the Treaty between Great Britain and Portugal of December 26, 1878,|| respecting the Indian Possessions of the two Countries, and of the Conventions of 1880, respecting Extradition and Weights and Measures.†—London, March 9, 1891.¶*

Foreign Office, March 9, 1891.

ON the 14th October, 1890,§ Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at Lisbon gave notice to the Portuguese Minister for Foreign Affairs of the intention of Her Majesty's Government to terminate the Treaty between Her Majesty and His Majesty the King of Portugal, respecting their Indian Possessions, signed at Lisbon on the 26th December, 1878.||

* Vol. LXXI, page 229.

† Vol. LXXI, page 282.

‡ The Portuguese Government acknowledged the receipt of this note on the 27th February, 1891.

§ Vol. LXXXII, page 1040.

|| Vol. LXIX, page 19.

¶ "London Gazette," March 10, 1891.

The Portuguese Government have acknowledged receipt of the said notice, and the Treaty will consequently terminate on the 14th January, 1892.

The Convention signed at Panjim on the 20th January, and at Calcutta on the 30th January, 1880,* for the extradition of criminals will terminate at the same time.

Her Majesty's Envoy Extraordinary and Minister Plenipotentiary at Lisbon also gave notice, on the 4th February last,† of the termination of the Convention signed at Calcutta the 18th March, 1880, and at Panjim the 12th April, 1880,‡ respecting moneys, weights, and measures. The Portuguese Government have acknowledged receipt of this notice, and the Convention will consequently terminate on the 4th February, 1892.

PORTUGUESE DENUNCIATION of the Treaty of Commerce and Navigation between Great Britain and Portugal of July 3, 1842,§ and of the Supplementary Convention of May 22, 1882.||—London, June 22, 1891.

M. de Soveral to the Marquess of Salisbury.

MY LORD,

London, June 22, 1891.

As my Government are desirous of placing on a new basis their commercial relations with foreign countries, they have taken steps to free themselves from the Treaties of Commerce which have already passed the term beyond which either of the Contracting Parties are allowed to denounce them.

I am consequently instructed by my Government to denounce to your Lordship the Treaty of the 3rd July, 1842,§ and the Supplementary Convention of the 22nd May, 1882.||

I avail, &c.,

The Marquess of Salisbury.

LUIZ DE SOVERAL.

In consequence of this note the following Notification was inserted in the "London Gazette" of June 30, 1891:—

Foreign Office, June 29, 1891.

THE Portuguese Minister in London has addressed a note, dated the 22nd instant, to the Marquess of Salisbury, Her Majesty's

* Vol. LXXI, page 229.

† Page 511.

‡ Vol. LXXI, page 282.

§ Vol. XXX, page 367.

|| Vol. LXXIII, page 49.

Principal Secretary of State for Foreign Affairs, giving notice on the part of the Portuguese Government to terminate the Treaty of Commerce and Navigation between Great Britain and Portugal of the 3rd July, 1842, and the Supplementary Convention of the 22nd May, 1882.

The above-mentioned Treaty and Convention will accordingly expire on the 22nd June, 1892.

UNIVERSAL POSTAL CONVENTION *concluded between Argentine Republic, Austria-Hungary, Belgium, Bolivia,* Brazil, Bulgaria, Chile,* Republic of Colombia, Congo Free State, Republic of Costa Rica,* Denmark and Danish Colonies, Dominican Republic,* Egypt, Equator,* France and French Colonies, Germany and the German Protectorates, Great Britain and various British Colonies, British Colonies of Australasia,* Canada,* British India, Greece, Guatemala, Kingdom of Hawaii, Republic of Hayti,* Republic of Honduras,* Italy, Japan, Republic of Liberia, Luxemburg, Mexico, Montenegro, Netherlands and Dutch Colonies, Nicaragua,* Norway, Paraguay,* Persia, Peru, Portugal and Portuguese Colonies, Roumania, Russia, Salvador, Servia, Kingdom of Siam, South African Republic,* Spain and Spanish Colonies, Sweden, Switzerland, Regency of Tunis, Turkey, United States of America, Uruguay, and Venezuela.—Signed at Vienna, July 4, 1891.*

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus énumérés, s'étant réunis en Congrès à Vienne, en vertu de l'Article XIX de la Convention Postale Universelle conclue à Paris le 1^{er} Juin, 1878,† ont, d'un commun accord et sous réserve de ratification, révisé la dite Convention, ainsi que l'Acte Additionnel y relatif conclue à

THE Undersigned, Plenipotentiaries of the Governments of the above-named countries, being assembled in Congress at Vienna, by virtue of Article XIX of the Universal Postal Convention concluded at Paris on the 1st June, 1878,† have, by common consent and subject to ratification, revised the said Convention, as well as the Additional Act

* These States did not sign the Convention, but all subsequently acceded thereto, with the exception of Honduras and Paraguay, who nevertheless execute it.

† Vol. LXIX, page 210.

[1890-91. LXXXIII.]

Lisbonne le 21 Mars, 1885,* conformément aux dispositions suivantes :—

ART. I. Les pays entre lesquels est conclue la présente Convention, ainsi que ceux qui y adhéreront ultérieurement, forment, sous la dénomination "d'Union Postale Universelle," un seul territoire postal pour l'échange réciproque des correspondances entre leurs Bureaux de Poste.

II. Les dispositions de cette Convention s'étendent aux lettres, aux cartes postales simples et avec réponse payée, aux imprimés de toute nature, aux papiers d'affaires et aux échantillons de marchandises, originaires de l'un des pays de l'Union et à destination d'un autre de ces pays. Elles s'appliquent également à l'échange postal des objets ci-dessus entre les pays de l'Union et les pays étrangers à l'Union, toutes les fois que cet échange emprunte les services de deux des Parties Contractantes, au moins.

III.—1. Les Administrations des Postes des pays limitrophes ou aptes à correspondre directement entre eux sans emprunter l'intermédiaire des services d'une tierce Administration déterminent, d'un commun accord, les conditions du transport de leurs dépêches réciproques à travers la frontière ou d'une frontière à l'autre.

2. A moins d'arrangement contraire, on considère comme services tiers les transports mari-

relative thereto concluded at Lisbon on the 21st March,* 1885, in conformity with the following stipulations :—

ART. I. The countries between which the present Convention is concluded, as well as those which may adhere to it hereafter, form, under the title of "Universal Postal Union," a single postal territory for the reciprocal exchange of correspondence between their Post Offices.

II. The stipulations of this Convention extend to letters, post-cards, both single and with reply paid, printed papers of every kind, commercial papers and samples of merchandize, originating in one of the countries of the Union and intended for another of those countries. They also apply to the exchange by post of the articles above mentioned between the countries of the Union and countries foreign to the Union, whenever the services of two of the Contracting Parties at least are used for that exchange.

III.—1. The Postal Administrations of neighbouring countries or countries able to correspond directly with each other, without availing themselves of the services of a third Administration, determine, by common consent, the conditions of the conveyance of the mails which they exchange, across the frontier, or from one frontier to the other.

2. In the absence of any contrary arrangement, the direct sea conveyance between two coun-

* Vol. LXXVI, page 21.

times effectués directement entre deux pays, au moyen de paquets ou bâtimens dépendant de l'un d'eux, et ces transports, de même que ceux effectués entre deux Bureaux d'un même pays, par l'intermédiaire de services maritimes ou territoriaux dépendant d'un autre pays, sont régis par les dispositions de l'Article suivant.

IV.—1. La liberté du transit est garantie dans le territoire entier de l'Union.

2. En conséquence, les diverses Administrations Postales de l'Union peuvent s'expédier réciproquement, par l'intermédiaire d'une ou de plusieurs d'entre elles, tant des dépêches closes que des correspondances à découvert, suivant les besoins du trafic et les convenances du service postal.

3. Les correspondances échangées, soit à découvert, soit en dépêches closes, entre deux Administrations de l'Union, au moyen des services d'une ou de plusieurs autres Administrations de l'Union, sont soumises, au profit de chacun des pays traversés ou dont les services participent au transport, aux frais de transit suivans, savoir :—

(1.) Pour les parcours territoriaux, 2 fr. par kilog. de lettres ou cartes postales, et 25 centimes par kilog. d'autres objets ;

(2.) Pour les parcours maritimes, 15 fr. par kilog. de lettres ou cartes postales, et 1 fr. par kilog. d'autres objets.

4. Il est toutefois entendu—

(1.) Que partout où le transit est déjà actuellement gratuit ou

tries by means of packets or vessels depending upon one of them shall be considered as a third service; and this conveyance, as well as any performed between two Offices of the same country, by the medium of sea or territorial services maintained by another country, is regulated by the stipulations of the following Article.

IV.—1. The right of transit is guaranteed throughout the entire territory of the Union.

2. Consequently, the several Postal Administrations of the Union may send reciprocally through the medium of one or of several of them, either closed mails or correspondence *à découvert*, according to the needs of the traffic and the requirements of the postal service.

3. Correspondence exchanged, whether *à découvert* or in closed mails, between two Administrations of the Union, by means of the services of one or of several other Administrations of the Union, is subject to the following transit charges, to be paid to each of the countries traversed, or whose services participate in the conveyance, viz :—

(1.) For territorial transits, 2 fr. per kilog. of letters or post-cards, and 25 centimes per kilog. of other articles ;

(2.) For sea transits, 15 fr. per kilog. of letters or post-cards, and 1 fr. per kilog. of other articles.

4. It is, however, understood—

(1.) That in all cases where the transit is already gratuitous

soumis à des conditions plus avantageuses, ce régime est maintenu, sauf dans le cas prévu au chiffre (3) ci-après ;

(2.) Que partout où les frais de transit maritime sont fixés actuellement à 5 fr. par kilog. de lettres ou de cartes postales, et à 50 centimes par kilog. d'autres objets, ces prix sont maintenus ;

(3.) Que tout parcours maritime n'excédant pas 300 milles marins est gratuit, si l'Administration intéressée a déjà droit, du chef des dépêches ou correspondances bénéficiant de ce parcours, à la rémunération afférente au transit territorial ; dans le cas contraire, il est rétribué à raison de 2 fr. par kilog. de lettres ou cartes postales et de 25 centimes par kilog. d'autres objets ;

(4.) Que, en cas de transport maritime effectué par deux ou plusieurs Administrations, les frais du parcours total ne peuvent dépasser 15 fr. par kilog. de lettres ou cartes postales et 1 fr. par kilog. d'autres objets ; ces frais, le cas échéant, sont répartis entre ces Administrations au prorata des distances parcourues, sans préjudice des arrangements différents entre les parties intéressées.

(5.) Que les prix spécifiés au présent Article ne s'appliquent, ni aux transports au moyen de services dépendant d'Administrations étrangères à l'Union, ni aux transports dans l'Union au moyen de services extraordinaires

at present, or subject to more advantageous conditions, such state of things is maintained, except in the case provided for in paragraph (3) following ;

(2.) That in all cases where the sea transit charges are fixed at present at 5 fr. per kilog. of letters or post-cards, and at 50 centimes per kilog. of other articles, those rates are maintained ;

(3.) That every sea transit not exceeding 300 nautical miles is gratuitous if the Administration concerned is already entitled, on account of mails or correspondence benefiting by this transit, to the remuneration applicable to territorial transit ; in the contrary case, payment is made at the rate of 2 fr. per kilog. of letters or post-cards and 25 centimes per kilog. of other articles ;

(4.) That, in the case of sea conveyance effected by two or more Administrations, the charges payable for the entire transit cannot exceed 15 fr. per kilog. of letters or post-cards, and 1 fr. per kilog. of other articles ; the charges in question are, in such case, shared between those Administrations in proportion to the distances traversed, without prejudice to other arrangements between the parties interested ;

(5.) That the rates specified in the present Article do not apply either to conveyance by means of services depending upon Administrations foreign to the Union, or to conveyance within the Union by means of extra-

spécialement créés ou entretenus par une Administration, soit dans l'intérêt, soit sur la demande d'une ou de plusieurs autres Administrations. Les conditions de ces deux catégories de transports sont réglées de gré à gré entre les Administrations intéressées.

5. Les frais de transit sont à la charge de l'Administration du pays d'origine.

6. Le décompte général de ces frais a lieu sur la base de relevés établis tous les trois ans, pendant une période de vingt-huit jours à déterminer dans le Règlement d'exécution prévu par l'Article XX ci-après.

7. Sont exempts de tous frais de transit territorial ou maritime, la correspondance des Administrations Postales entre elles, les cartes postales-réponse renvoyés au pays d'origine, les objets réexpédiés ou mal dirigés, les rebuts, les avis de réception, les mandats de poste et tous autres documents relatifs au service postal.

V.—1. Les taxes pour le transport des envois postaux dans toute l'étendue de l'Union, y compris leur remise au domicile des destinataires dans les pays de l'Union où le service de distribution est ou sera organisé, sont fixées comme suit :—

(1.) Pour les lettres, à 25 centimes en cas d'affranchissement, et au double dans le cas contraire, par chaque lettre et par

ordinary services specially established or maintained by one Administration in the interest or at the request of one or several other Administrations. The conditions of these two categories of conveyance are regulated by mutual consent between the Administrations concerned.

5. The expenses of transit are borne by the Administration of the country of origin.

6. The general accounting for those charges takes place on the basis of statements prepared every three years, during a period of twenty-eight days, to be determined on in the Detailed Regulations referred to in Article XX hereafter.

7. Correspondence between Postal Administrations, the reply halves of double post-cards returned to the country of origin, articles redirected or missent, undelivered articles, acknowledgments of delivery, post-office money orders, and all other documents relative to the postal service, are exempt from all charges for territorial or sea transit.

V.—1. The rates of postage for the conveyance of postal articles throughout the entire extent of the Union, including their delivery at the residence of the addressees in the countries of the Union where a delivery is or shall be organized, are fixed as follows :—

(1.) For letters, 25 centimes in case of prepayment, and double that amount in the contrary case, for each letter and for every

chaque poids de 15 grammes ou fraction de 15 grammes ;

(2.) Pour les cartes postales, à 10 centimes pour la carte simple ou pour chacune des deux parties de la carte avec réponse payée.

Les cartes postales non affranchies sont soumises à la taxe des lettres non affranchies.

(3.) Pour les imprimés de toute nature, les papiers d'affaires et les échantillons de marchandises, à 5 centimes par chaque objet ou paquet portant une adresse particulière et par chaque poids de 50 grammes ou fraction de 50 grammes, pourvu que cet objet ou paquet ne contienne aucune lettre ou note manuscrite ayant le caractère de correspondance actuelle et personnelle, et soit conditionné de manière à pouvoir être facilement vérifié.

La taxe des papiers d'affaires ne peut être inférieure à 25 centimes par envoi, et la taxe des échantillons ne peut être inférieure à 10 centimes par envoi.

2. Il peut être perçu, en sus des taxes fixées par le paragraphe précédent—

(1.) Pour tout envoi soumis à des frais de transit maritime de 15 fr. par kilog. de lettres ou cartes postales et de 1 fr. par kilog. d'autres objets, et dans toutes les relations auxquelles ces frais de transit sont applicables, une surtaxe uniforme qui ne peut pas dépasser 25 centimes par port simple et les lettres, 5 centimes

weight of 15 grammes or fraction of 15 grammes ;

(2.) For post-cards, 10 centimes for single cards or for each of the two halves of cards with reply paid.

Unpaid post-cards are charged as unpaid letters.

(3.) For printed papers of every kind, commercial papers, and samples of merchandize, 5 centimes for each article or packet bearing a particular address and for every weight of 50 grammes or fraction of 50 grammes, provided that such article or packet does not contain any letter or manuscript note having the character of actual and personal correspondence, and that it be made up in such a manner as to admit of its being easily examined.

The charge on commercial papers cannot be less than 25 centimes per packet, and the charge on patterns or samples cannot be less than 10 centimes per packet.

2. In addition to the rates fixed by the preceding paragraph, there may be levied—

(1.) For every article subject to the sea transit charges of 15 fr. per kilog. of letters or post-cards and 1 fr. per kilog. of other articles, and in all the relations to which these transit charges are applicable, a uniform surcharge which may not exceed 25 centimes per single rate for letters, 5 centimes per post-card, and 5 centimes per 50 grammes

par carte postale et 5 centimes par 50 grammes ou fraction de 50 grammes pour les autres objets ;

(2.) Pour tout objet transporté par des services dépendant d'Administrations étrangères à l'Union ou par des services extraordinaires dans l'Union, donnant lieu à des frais spéciaux, une surtaxe en rapport avec ces frais.

3. En cas d'insuffisance d'affranchissement, les objets de correspondance de toute nature sont passibles, à la charge des destinataires, d'une taxe double du montant de l'insuffisance, sans que cette taxe puisse dépasser celle qui est perçue dans le pays de destination sur les correspondances non affranchies de même nature, poids, et origine.

4. Les objets autres que les lettres et les cartes postales doivent être affranchis au moins partiellement.

5. Les paquets d'échantillons de marchandises ne peuvent renfermer aucun objet ayant une valeur marchande; ils ne doivent pas dépasser le poids de 250 grammes, ni présenter des dimensions supérieures à 30 centim. en longueur, 20 centim. en largeur, et 10 centim. en épaisseur, ou, s'ils ont la forme de rouleau, à 30 centim. de longueur et 15 centim. de diamètre. Toutefois, les Administrations des pays intéressés sont autorisées à adopter de commun accord, pour leurs échanges réciproques, des limites de poids ou de dimen-

or fraction of 50 grammes for other articles ;

(2.) For every article conveyed by means of services maintained by Administrations foreign to the Union, or of extraordinary services in the Union, giving rise to special expenses, a surcharge in proportion to those expenses.

3. In case of insufficient prepayment, correspondence of every kind is liable to a charge equal to double the amount of the deficiency, to be paid by the addressees ; but that charge may not exceed that which is levied in the country of destination on unpaid correspondence of the same nature, weight, and origin.

4. Articles other than letters and post-cards must be prepaid at least partly.

5. Packets of samples of merchandise may not contain any article having a saleable value; they must not exceed 250 grammes in weight, or measure more than 30 centim. in length, 20 centim. in breadth, and 10 centim. in depth, or, if they are in the form of a roll, 30 centim. in length and 15 centim. in diameter. Nevertheless, the Administrations of the countries concerned are authorized to adopt by common consent, for their reciprocal exchanges, limits of weight or size greater than those fixed above.

sions supérieures à celles fixées ci-dessus.

6. Les paquets de papiers d'affaires et d'imprimés ne peuvent pas dépasser le poids de 2 kilog., ni présenter, sur aucun de leurs côtés, une dimension supérieure à 45 centim. On peut, toutefois, admettre au transport par la poste les paquets en forme de rouleau dont le diamètre ne dépasse pas 10 centim., et dont la longueur n'excède pas 75 centim.

VI.*—1. Les objets désignés dans l'Article V peuvent être expédiés sous recommandation.

2. Toute envoi recommandé est passible à la charge de l'envoyeur :

(1.) Du prix d'affranchissement ordinaire de l'envoi, selon sa nature ;

(2.) D'un droit fixe de recommandation de 25 centimes au maximum, y compris la délivrance d'un bulletin de dépôt à l'expéditeur.

3. L'envoyeur d'un objet recommandé peut obtenir un avis de réception de cet objet, en payant d'avance un droit fixe de 25 centimes au maximum.

VII.—1. Les correspondances recommandées peuvent être expédiées grevées de remboursement jusqu'au montant de 500 fr. dans les relations entre les pays dont les Administrations conviennent d'introduire ce service. Ces objets sont soumis aux formalités et aux taxes des envois recommandés.

2. Le montant encaissé du destinataire doit être transmis à

6. Packets of commercial papers and printed papers may not exceed 2 kilog. in weight, or measure more in any direction than 45 centim. Packets in the form of a roll may, however, be allowed to pass through the post provided they do not exceed 10 centim. in diameter and 75 centim. in length.

VI.*—1. The articles specified in Article V may be registered.

2. Every registered article is liable, at the charge of the sender :

(1.) To the ordinary prepaid rate of postage on the article, according to its nature ;

(2.) To a fixed registration fee of 25 centimes at most, including a receipt given to the sender.

3. The sender of a registered article may obtain an acknowledgment of the delivery of such article by paying in advance a fixed fee of 25 centimes at most.

VII. — 1. Registered correspondence may be sent marked with trade charges up to 500 fr. to be collected on delivery between countries of which the Administrations agree to introduce this service. These articles are subject to the same regulations and rates as registered articles.

2. The amount collected from the addressee is to be trans-

* See Final Protocol, page 540.

l'envoyeur au moyen d'un mandat de poste, après déduction de la taxe des mandats ordinaires et d'un droit d'encaissement de 10 centimes.

VIII.*—1. En cas de perte d'un envoi recommandé et sauf le cas de force majeure, l'expéditeur, ou, sur sa demande, le destinataire, a droit à une indemnité de 50 fr.

2. L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur. Est réservé à cette Administration le recours contre l'Administration responsable, c'est-à-dire, contre l'Administration sur le territoire ou dans le service de laquelle la perte a eu lieu.

3. Jusqu'à preuve du contraire, la responsabilité incombe à l'Administration qui, ayant reçu l'objet sans faire d'observation, ne peut établir ni la délivrance au destinataire ni, s'il y a lieu, la transmission régulière à l'Administration suivante. Pour les envois adressés poste restante, la responsabilité cesse par la délivrance à une personne qui a justifié, suivant les règles en vigueur dans le pays de destination, que ses nom et qualité sont conformes aux indications de l'adresse.

4. Le paiement de l'indemnité par l'Office expéditeur doit avoir lieu le plus tôt possible et, au plus tard, dans le délai d'un an

mitted to the sender by means of a money order, after deducting the rate chargeable for ordinary money orders, and a commission of 10 centimes for the service of collection.

VIII.*—1. In case of the loss of a registered article, and except in cases beyond control, the sender, or, at the request of the sender, the addressee, is entitled to an indemnity of 50 fr.

2. The obligation of paying the indemnity rests with the Administration to which the dispatching Office is subordinate. To that Administration is reserved a remedy against the Administration responsible, that is to say, against the Administration on the territory or in the service of which the loss took place.

3. Until the contrary be proved, the responsibility rests with the Administration which, having received the article without making any observation, cannot establish the delivery to the addressee, or the regular transfer to the following Administration, as the case may be. For articles addressed "poste restante," the responsibility ceases on delivery to a person who has proved, according to the rules in force in the country of destination, that his name and description correspond to those indicated in the address.

4. The payment of the indemnity by the dispatching Office ought to take place as soon as possible, and at the

* See Final Protocol, page 540.

à partir du jour de la réclamation. L'Office responsable est tenu de rembourser sans retard à l'Office expéditeur le montant de l'indemnité payée par celui-ci. Dans le cas où l'Office responsable aurait notifié à l'Office expéditeur de ne point effectuer le paiement, il devrait rembourser à ce dernier Office les frais qui seraient la conséquence du non-paiement.

5. Il est entendu que la réclamation n'est admise que dans le délai d'un an, à partir du dépôt à la poste de l'envoi recommandé; passé ce terme, le réclamant n'a droit à aucune indemnité.

6. Si la perte a eu lieu en cours de transport sans qu'il soit possible d'établir sur le territoire de quel pays le fait s'est accompli, les Administrations en cause supportent le dommage par parts égales.

7. Les Administrations cessent d'être responsables des envois recommandés dont les ayants droit ont donné reçu et pris livraison.

IX.—1. L'expéditeur d'un objet de correspondance peut le faire retirer du service ou en faire modifier l'adresse, tant que cet objet n'a pas été livré au destinataire.

2. La demande à formuler à cet effet est transmise par voie postale ou par voie télégraphique aux frais de l'expéditeur, qui doit payer, savoir :

(1.) Pour toute demande par voie postale, la taxe applicable à une lettre simple recommandée ;

latest within a year of the date of the application. The responsible Office is bound to refund to the dispatching Office without delay the amount of the indemnity paid by the latter. In a case where the responsible Office has given notice to the dispatching Office not to effect payment, the former must repay to the latter Office any costs which the non-payment may entail.

5. It is understood that the application for an indemnity is only entertained if made within a year of the posting of the registered article; after this term the applicant has no right to any indemnity.

6. If the loss has occurred in course of conveyance without its being possible to ascertain on the territory of what country the loss took place, the Administrations concerned bear the loss in equal shares.

7. The Administrations cease to be responsible for registered articles for which the owners have given a receipt on delivery.

IX.—1. The sender of a letter or other article can have it withdrawn from the post or have its address altered, so long as such article has not been delivered to the addressee.

2. The request for such withdrawal is sent by post or by telegraph at the expense of the sender, who must pay as follows :

(1.) For every request by post, the amount payable for a registered single letter ;

(2.) Pour toute demande par voie télégraphique, la taxe du télégramme d'après le tarif ordinaire.

3. Les dispositions du présent Article ne sont pas obligatoires pour les pays dont la législation ne permet pas à l'expéditeur de disposer d'un envoi en cours de transport.

X. Ceux des pays de l'Union qui n'ont pas le franc pour unité monétaire fixent leurs taxes à l'équivalent dans leur monnaie respective des taux déterminés par les Articles V et VI précédents. Ces pays ont la faculté d'arrondir les fractions conformément au Tableau inséré au Règlement d'exécution mentionné à l'Article XX de la présente Convention.

XI.—1. L'affranchissement de tout envoi quelconque ne peut être opéré qu'au moyen de timbres-poste valables dans le pays d'origine pour la correspondance des particuliers. Toutefois, sont également considérées comme dûment affranchies les cartes - réponse portant des timbres - poste du pays d'émission de ces cartes.

2. Les correspondances officielles relatives au service des postes et échangées entre les Administrations Postales sont seules exemptées de cette obligation et admises à la franchise.

3. Les correspondances déposées en pleine mer à la boîte d'un paquebot, ou entre les mains des commandants de navires, peuvent être affranchies

(2.) For every request by telegraph, the charge for a telegram according to the ordinary tariff.

3. The stipulations of this Article are not obligatory for countries of which the legislation does not permit the sender to dispose of an article in its course through the post.

X. Those countries of the Union which have not the franc for their monetary unit fix their charges at the equivalents in their respective currencies of the rates determined by the foregoing Articles V and VI. Such countries have the option of rounding fractions in conformity with the Table inserted in the Detailed Regulations mentioned in Article XX of the present Convention.

XI.—1. Prepayment of postage on every description of article can be effected only by means of postage-stamps valid in the country of origin for the correspondence of private individuals. Nevertheless, reply post-cards bearing postage-stamps of the country in which these cards were issued are likewise considered as duly prepaid.

2. Official correspondence relative to the postal service, and exchanged between Postal Administrations, is alone exempted from this obligation, and from all liability to charge.

3. Correspondence posted on the high seas in the letter-box on board a packet, or placed in the hands of the commanders of ships, may be prepaid by means

au moyen des timbres-poste et d'après le tarif du pays auquel appartient ou dont dépend le dit paquebot. Si le dépôt à bord a lieu pendant le stationnement aux deux points extrêmes du parcours ou dans l'une des escales intermédiaires, l'affranchissement n'est valable qu'autant qu'il est effectué au moyen des timbres-poste et d'après le tarif du pays dans les eaux duquel se trouve le paquebot.

XII.—1. Chaque Administration garde en entier les sommes qu'elle a perçues en exécution des Articles V, VI, VII, X, et XI précédents, sauf la bonification due pour les mandats prévus au paragraphe 2 de l'Article VII.

2. En conséquence, il n'y a pas lieu, de ce chef, à un décompte entre les diverses Administrations de l'Union, sous réserve de la bonification prévue au paragraphe 1 du présent Article.

3. Les lettres et autres envois postaux ne peuvent, dans le pays d'origine comme dans celui de destination, être frappés, à la charge des expéditeurs ou des destinataires, d'aucune taxe ni d'aucun droit postal autres que ceux prévus par les Articles susmentionnés.

XIII.—1. Les objets de correspondance de toute nature sont, à la demande des expéditeurs, remis à domicile par un porteur spécial immédiatement après l'arrivée dans les pays de l'Union qui consentent à se

of the postage-stamps and according to the tariff of the country to which the said packet belongs or by which it is maintained. If the posting on board takes place during the stay at one of the two extreme points of the voyage, or at any intermediate port of call, prepayment can only be effected by means of the postage-stamps and according to the tariff of the country in the waters of which the packet happens to be.

XII.—1. Each Administration keeps the whole of the sums which it collects by virtue of the foregoing Articles V, VI, VII, X, and XI, except the credit due for the money orders referred to in paragraph 2 of Article VII.

2. Consequently, there is no necessity under this head for any accounts between the several Administrations of the Union, excepting always the credit referred to in paragraph 1 of the present Article.

3. Neither the senders nor the addressees of letters and other postal packets can be called upon to pay, either in the country of origin or in that of destination, any tax or postal duty other than those contemplated by the Articles above mentioned.

XIII.—1. At the request of the senders, all classes of correspondence are sent to the addresses by a special messenger immediately on arrival, in those countries of the Union which consent to undertake this

charger de ce service dans leurs relations réciproques.

2. Ces envois, qui sont qualifiés "express," sont soumis à une taxe spéciale de remise à domicile; cette taxe est fixée à 30 centimes et doit être acquittée complètement et à l'avance par l'expéditeur, en sus du port ordinaire. Elle est acquise à l'Administration du pays d'origine.

3. Lorsque l'objet est destiné à une localité où il n'existe pas de bureau de poste, l'Administration des Postes destinataire peut percevoir une taxe complémentaire jusqu'à concurrence du prix fixé pour la remise par express dans son service interne, déduction faite de la taxe fixe payée par l'expéditeur, ou de son équivalent dans la monnaie du pays qui perçoit ce complément.

4. Les objets express non complètement affranchis pour le montant total des taxes payables à l'avance sont distribués par les moyens ordinaires.

XIV.—1. Il n'est perçu aucun supplément de taxe pour la réexpédition d'envois postaux dans l'intérieur de l'Union.

2. Les correspondances tombées en rebut ne donnent pas lieu à restitution des droits de transit revenant aux Administrations intermédiaires, pour le transport antérieur des dites correspondances.

3. Les lettres et les cartes postales non affranchies et les correspondances de toute nature insuffisamment affranchies, qui

service in their reciprocal relations.

2. Such correspondence, which is called "express," is subject to a special charge for delivery; this charge is fixed at 30 centimes, and must be fully paid in advance by the sender, in addition to the ordinary postage. It belongs to the Administration of the country of origin.

3. When an article is destined for a place where there is no post-office, the Postal Administration of the country of destination can levy an additional charge, up to the amount of the price fixed for delivery by express in its inland service, less the fixed charge paid by the sender, or its equivalent in the money of the country which levies this additional charge.

4. "Express" letters, &c., upon which the total amount of the charges payable in advance has not been prepaid are delivered by the ordinary means.

XIV.—1. No supplementary postage is charged for the re-direction of postal packets within the Union.

2. Undelivered correspondence does not, when returned, give rise to the repayment of the transit charges due to intermediate Administrations for the previous conveyance of such correspondence.

3. Unpaid letters and post-cards, and insufficiently paid articles of every description, which are returned to the coun-

font retour au pays d'origine par suite de réexpédition ou de mise en rebut, sont passibles, à la charge des destinataires ou des expéditeurs, des mêmes taxes que les objets similaires directement adressés du pays de la première destination au pays d'origine.

XV.—1. Des dépêches closes peuvent être échangées entre les Bureaux de Poste de l'un des pays contractants et les commandants des divisions navales ou bâtiments de guerre de ce même pays en station à l'étranger, par l'intermédiaire des services territoriaux ou maritimes dépendant d'autres pays.

2. Les correspondances de toute nature comprises dans ces dépêches doivent être exclusivement à l'adresse ou en provenance des état-majors et des équipages des bâtiments destinataires ou expéditeurs des dépêches; les tarifs et conditions d'envoi qui leur sont applicables sont déterminés, d'après ses règlements intérieurs, par l'Administration des Postes du pays auquel appartiennent les bâtiments.

3. Sauf arrangement contraire entre les Offices intéressés, l'Office postal expéditeur ou destinataire des dépêches dont il s'agit est redevable, envers les Offices intermédiaires, de frais de transit calculés conformément aux dispositions de l'Article IV.

XVI.—1. Il n'est pas donné cours—

try of origin as redirected or as undeliverable, are liable, at the expense of the addressees or senders, to the same rates as similar articles addressed directly from the country of the first destination to the country of origin.

XV.—1. Closed mails may be exchanged between the Post Offices of any one of the contracting countries and the commanding officers of naval divisions or ships of war of the same country stationed abroad, through the medium of the sea or land services maintained by other countries.

2. Correspondence of every description inclosed in these mails must consist exclusively of such as is addressed to or sent by the officers and crews of the ships to or from which the mails are forwarded; the rates and conditions of the dispatch applicable to them are determined, according to its internal regulations, by the Postal Administration of the country to which the ships belong.

3. In the absence of any arrangement to the contrary between the Offices concerned, the Post Office which dispatches or receives the mails in question is accountable to the intermediate Offices for transit charges calculated in accordance with the stipulations of Article IV.

XVI.—1. There shall not be forwarded—

(a.) Aux papiers d'affaires, échantillons et imprimés qui ne sont pas affranchis au moins partiellement, ou qui ne sont pas conditionnés de façon à permettre une vérification facile du contenu ;

(b.) Aux objets de même catégories qui dépassent les limites de poids et de dimensions fixées à l'Article V ;

(c.) Aux échantillons de marchandises ayant une valeur marchande.

2. Le cas échéant, les envois mentionnés au paragraphe précédent doivent être renvoyés au timbre d'origine et remis, s'il est possible, à l'expéditeur.

3. Il est interdit—

(1.) D'expédier par la poste—

(a.) Des échantillons et autres objets qui, par leur nature, peuvent présenter du danger pour les agents postaux, salir ou détériorer les correspondances ;

(b.) Des matières explosibles, inflammables, ou dangereuses ; des animaux et insectes, vivants ou morts, sauf les exceptions prévues au Règlement de détail.

(2.) D'insérer dans les correspondances ordinaires ou recommandées consignées à la poste—

(a.) Des pièces de monnaie ayant cours ;

(b.) Des objets passibles des droits de douane ;

(c.) Des matières d'or ou d'argent, des pierreries, des bijoux, et autres objets précieux, mais seulement dans le cas où leur insertion ou expédition

(a.) Commercial papers, samples, and printed papers which are not prepaid at least partly, or which are not made up in such a manner as to admit of an easy examination of the contents ;

(b.) Articles of the same categories which exceed the limits of weight and size prescribed by Article V ;

(c.) Samples of merchandize having a saleable value.

2. If occasion arise, the articles mentioned in the preceding paragraph should be sent back to the Post Office of origin, and returned, if possible, to the sender.

3. It is forbidden—

(1.) To send by post—

(a.) Samples and other articles which, from their nature, may expose the postal officials to danger, or soil or damage the correspondence ;

(b.) Explosives, inflammable or dangerous substances ; animals or insects, living or dead, except in the cases contemplated in the Detailed Regulations.

(2.) To insert in ordinary or registered correspondence consigned to the post—

(a.) Current coin ;

(b.) Articles liable to customs duty ;

(c.) Gold or silver bullion, precious stones, jewellery, and other precious articles, but only in case their insertion or transmission is forbidden by the

serait défendue d'après la législation des pays intéressés.

4. Les envois tombant sous les prohibitions du paragraphe 3 qui précède et qui auraient été à tort admis à l'expédition, doivent être renvoyés au timbre d'origine, sauf le cas où l'Administration du pays de destination serait autorisée par sa législation ou par ses règlements intérieurs à en disposer autrement.

5. Est d'ailleurs réservé le droit du Gouvernement de tout pays de l'Union de ne pas effectuer, sur son territoire, le transport ou la distribution, tant des objets jouissant de la modération de taxe à l'égard desquels il n'a pas été satisfait aux Lois, Ordonnances, ou Décrets qui règlent les conditions de leur publication ou de leur circulation dans ce pays, que des correspondances de toute nature qui portent ostensiblement des inscriptions, dessins, &c., interdits par les dispositions légales ou réglementaires en vigueur dans le même pays.

XVII.—1. Les Offices de l'Union qui ont des relations avec des pays situés en dehors de l'Union admettent tous les autres Offices de l'Union à profiter de ces relations pour l'échange des correspondances avec les dits pays.

2. Les correspondances échangées à découvert entre un pays de l'Union et un pays étranger à celle-ci, par l'intermédiaire d'une autre pays de l'Union, sont traitées, pour ce qui con-

legislation of the countries concerned.

4. Packets falling under the prohibitions of the foregoing paragraph 3, which have been erroneously admitted to transmission, should be returned to the Post Office of origin, except in cases where the Administration of the country of destination is authorized by its laws or by its internal regulations to dispose of them otherwise.

5. The right is, moreover, reserved to the Government of every country of the Union to refuse to convey over its territory, or to deliver, articles passing at reduced rates in regard to which the Laws, Ordinances, or Decrees which regulate the conditions of their publication or circulation in that country have not been complied with, or correspondence of any kind bearing obviously inscriptions, designs, &c., forbidden by the legal enactments or regulations in force in the same country.

XVII.—1. Offices of the Union which have relations with countries situate outside the Union admit all the other Offices of the Union to take advantage of these relations for the exchange of correspondence with the said countries.

2. Correspondence exchanged à découvert between a country of the Union and a country foreign to the Union, through the medium of another country of the Union, is treated, as regards

cerne le transport en dehors des limites de l'Union, d'après les Conventions, Arrangements, ou dispositions particulières régissant les rapports postaux entre ce dernier pays et le pays étranger à l'Union.

3. A l'égard des frais de transit dans le ressort de l'Union, les correspondances originaires ou à destination d'un pays étranger sont assimilées à celles de ou pour le pays de l'Union qui entretient les relations avec ce premier pays.

4. A l'égard des frais de transit en dehors des limites de l'Union, les correspondances à destination d'un pays étranger sont soumises, au profit du pays de l'Union qui entretient les relations avec le pays étranger à celle-ci, aux frais de transit suivants, savoir :—

(a.) Pour les parcours maritimes en dehors de l'Union, 20 fr. par kilog. de lettres ou cartes postales, et 1 fr. par kilog. d'autres objets ;

(b.) Pour les parcours territoriaux en dehors de l'Union, s'il y a lieu, les frais par kilog. notifiés par le pays de l'Union qui entretient les relations avec le pays étranger servant d'intermédiaire.

5. En cas de transport maritime effectué par deux ou plusieurs Administrations, les frais du parcours maritime total, dans le ressort de l'Union, et en dehors de l'Union, ne peuvent dépasser 20 fr. par kilog. de

the conveyance beyond the limits of the Union, in conformity with the Conventions, Agreements, or special provisions governing the postal relations between the latter country and the country foreign to the Union.

3. With regard to the charges for transit within the limits of the Union, correspondence originating in or addressed to a country foreign to the Union is assimilated to that from or for the country of the Union which maintains the relations with the aforesaid country.

4. With regard to the charges for transit outside the limits of the Union, correspondence addressed to a country foreign to the Union is subject to the under-mentioned transit charges, which are credited to the Union country maintaining the relations with the country foreign to it :—

(a.) For sea transits outside the Union, 20 fr. per kilog. of letters or post-cards, and 1 fr. per kilog. of other articles ;

(b.) For territorial transits outside the Union, if any, the charges per kilog. notified by the country of the Union which maintains the relations with the intermediate country foreign to the Union.

5. In the case of sea conveyance effected by two or more Administrations, the charges for the total sea transit, within and without the Union, may not exceed 20 fr. per kilog. of letters or post-cards and 1 fr.

lettres ou cartes postales et 1 fr. par kilog. d'autres objets; le cas échéant, ces frais sont répartis entre ces Administrations au prorata des distances parcourues, sans préjudice des arrangements différents entre les parties intéressées.

6. Les frais de transit en dehors de l'Union mentionnés ci-dessus sont à la charge de l'Administration du pays d'origine. Ils s'appliquent à toutes les correspondances expédiées soit à découvert, soit en dépêches closes. Mais dans le cas de dépêches closes envoyées d'un pays de l'Union à destination d'un pays étranger à celle-ci, ou d'un pays étranger à destination d'un pays de l'Union, un arrangement préalable concernant le mode de paiement des frais de transit devra être conclu entre les Administrations intéressées.

7. Le décompte général des frais de transit des correspondances échangées entre un pays de l'Union et un pays étranger, par l'intermédiaire d'un autre pays de l'Union, a lieu sur la base de relevés qui sont établis en même temps que les relevés dressés, en vertu de l'Article IV précédent, pour la fixation des frais de transit dans l'Union.

8. Les taxes à percevoir dans un pays de l'Union sur les correspondances à destination ou provenant d'un pays étranger à l'Union, et empruntant l'intermédiaire d'un autre pays de l'Union, ne pourront jamais être

per kilog. of other articles; these charges are divided between such Administrations in proportion to the distances traversed, without prejudice to other arrangements between the parties concerned.

6. The above - mentioned charges for transit outside the Union are payable by the Administration of the country of origin. They apply to all correspondence dispatched, whether *à découvert* or in closed mails. But in the case of closed mails sent from a country of the Union to a country foreign thereto, or from a country outside the Union to a country within it, an arrangement concerning the mode of payment of the transit charges must be concluded beforehand between the Administrations concerned.

7. The general accounting for the transit charges on correspondence exchanged between a country of the Union and a country foreign to it, through the medium of another country of the Union, takes place on the basis of statements which are prepared at the same time as the statements drawn up, by virtue of the foregoing Article IV, for determining the charges for transit within the Union.

8. The rates to be levied in a country of the Union on correspondence addressed to or coming from a country foreign to the Union, and using the services of another country of the Union, can never be lower than the

inférieures au tarif normal de l'Union. Ces taxes restent acquises en entier au pays qui les perçoit.

XVIII. Les Hautes Parties Contractantes s'engagent à prendre, ou à proposer à leurs Legislatures respectives, les mesures nécessaires pour punir l'emploi frauduleux, pour l'affranchissement de correspondances, de timbres-poste contrefaits ou ayant déjà servi. Elles s'engagent également à prendre, ou à proposer à leurs Legislatures respectives, les mesures nécessaires pour interdire et réprimer les opérations frauduleuses de fabrication, vente, colportage, ou distribution de vignettes et timbres en usage dans le service des postes, contrefaits ou imités de telle manière qu'ils pourraient être confondus avec les vignettes et timbres émis par l'Administration d'un des pays adhérents.

XIX. Le service des lettres et boîtes avec valeur déclarées, des mandats de poste, des colis postaux, des valeurs à recouvrer, des livrets d'identité, des abonnements aux journaux, &c., font l'objet d'arrangements particuliers entre les divers pays ou groupes de pays de l'Union.

XX.*—1. Les Administrations Postales des divers pays qui composent l'Union sont compétentes pour arrêter d'un commun accord, dans un Règlement d'exécution, toutes les mesures

normal Union tariff. These rates belong entirely to the country which levies them.

XVIII. The High Contracting Parties undertake to adopt, or to propose to their respective Legislatures, the necessary measures for punishing the fraudulent use of counterfeit postage stamps, or stamps already used, for the prepayment of correspondence. They also undertake to adopt, or to propose to their respective Legislatures, the necessary measures for prohibiting and repressing the fraudulent manufacture, sale, hawking, or distribution of embossed and adhesive stamps in use in the postal service, forged or imitated in such a manner as to be mistakable for the embossed and adhesive stamps issued by the Administration of any one of the contracting countries.

XIX. The services concerning letters and boxes of declared value, postal money orders, postal parcels, collection of bills and drafts, certificates of identity, subscriptions to newspapers, &c., form the subject of special arrangements between the various countries or groups of countries composing the Union.

XX.*—1. The Postal Administration of the various countries composing the Union are competent to draw up, by common consent, in the form of Detailed Regulations, all the measures of

* See page 762.

d'ordre et de détail qui sont jugée nécessaires.

2. Les différentes Administrations peuvent, en outre, prendre entre elles les arrangements nécessaires au sujet des questions qui ne concernent pas l'ensemble de l'Union, pourvu que ces arrangements ne dérogent pas à la présente Convention.

3. Il est toutefois permis aux Administrations intéressées de s'entendre mutuellement pour l'adoption de taxes réduites dans un rayon de 30 kilom.

XXI.—1. La présente Convention ne porte point altération à la législation de chaque pays dans tout ce qui n'est pas prévu par les stipulations contenues dans cette Convention.

2. Elle ne restreint pas le droit des Parties Contractantes de maintenir et de conclure des Traités, ainsi que de maintenir et d'établir des Unions plus restreintes, en vue de l'amélioration des relations postales.

XXII. — 1. Est maintenue l'institution, sous le nom de "Bureau International de l'Union Postale Universelle," d'un Office central qui fonctionne sous la haute surveillance de l'Administration des Postes Suisses et dont les frais sont supportés par toutes les Administrations de l'Union.

2. Ce Bureau demeure chargé de réunir, de coordonner, de publier, et de distribuer les renseignements de toute nature qui intéressent le Service Inter-

order and detail which are judged necessary.

2. The several Administrations may, moreover, make amongst themselves the necessary arrangements on the subject of questions which do not concern the Union generally, provided that those arrangements do not derogate from the present Convention.

3. The Administrations concerned are, however, permitted to come to mutual arrangements for the adoption of lower rates of postage within a radius of 30 kilom.

XXI.—1. The present Convention does not involve alteration in the legislation of any country as regards anything which is not provided for by the stipulations contained in this Convention.

2. It does not restrict the right of the Contracting Parties to maintain and to conclude Treaties, as well as to maintain and establish more restricted Unions, with a view to the improvement of postal relations.

XXII.—1. Under the name of the "International Bureau of the Universal Postal Union," is maintained a central Office, which is conducted under the supervision of the Swiss Postal Administration, and the expenses of which are borne by all the Administrations of the Union.

2. This Office is charged with the duty of collecting, collating, publishing, and distributing information of every kind which concerns the International Postal

national des Postes; d'émettre, à la demande des parties en cause, un avis sur les questions litigieuses; d'instruire les demandes en modification des actes du Congrès; de notifier les changements adoptés; et, en général, de procéder aux études et aux travaux dont il serait saisi dans l'intérêt de l'Union Postale.

XXIII.—1. En cas de dissentiment entre deux ou plusieurs membres de l'Union, relativement à l'interprétation de la présente Convention ou à la responsabilité d'une Administration en cas de perte d'un envoi recommandé, la question en litige est réglée par jugement arbitral. A cet effet, chacune des Administrations en cause choisit un autre membre de l'Union qui n'est pas directement intéressé dans l'affaire.

2. La décision des arbitres est donnée à la majorité absolue des voix.

3. En cas de partage des voix, les arbitres choisissent, pour trancher le différend, une autre Administration également désintéressée dans le litige.

4. Les dispositions du présent Article s'appliquent également à tous les Arrangements conclus en vertu de l'Article XIX précédent.

XXIV.—1. Les pays qui n'ont point pris part à la présente Convention sont admis à y adhérer sur leur demande.

2. Cette adhésion est notifiée, par la voie diplomatique, au

Service; of giving, at the request of the parties concerned, an opinion upon questions in dispute; of making known proposals for modifying the acts of the Congress; of notifying alterations adopted; and, in general, of taking up such studies and labours as may be confided to it in the interest of the Postal Union.

XXIII.—1. In case of disagreement between two or more members of the Union as to the interpretation of the present Convention, or as to the responsibility of an Administration in case of the loss of a registered article, the question in dispute is decided by arbitration. To that end, each of the Administrations concerned chooses another member of the Union not directly interested in the matter.

2. The decision of the arbitrators is given by an absolute majority of votes.

3. In case of an equality of votes the arbitrators choose, with a view of settling the difference, another Administration equally uninterested in the question in dispute.

4. The stipulations of the present Article apply equally to all the Agreements concluded by virtue of the foregoing Article XIX.

XXIV.—1. Countries which have not taken part in the present Convention are admitted to adhere to it upon their demand.

2. This adhesion is notified diplomatically to the Govern-

Gouvernement de la Confédération Suisse, et par ce Gouvernement à tous les pays de l'Union.

3. Elle emporte, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention.

4. Il appartient au Gouvernement de la Confédération Suisse de déterminer, d'un commun accord avec le Gouvernement du pays intéressé, la part contributive de l'Administration de ce dernier pays dans les frais du Bureau International, et, s'il y a lieu, les taxes à percevoir par cette Administration en conformité de l'Article X précédent.

XXV.—1. Des Congrès de Plénipotentiaires des pays contractants ou de simples Conférences Administratives, selon l'importance des questions à résoudre, sont réunis, lorsque la demande en est faite ou approuvée par les deux tiers, au moins, des Gouvernements ou Administrations, suivant le cas.

2. Toutefois, un Congrès doit avoir lieu au moins tous les cinq ans.

3. Chaque pays peut se faire représenter, soit par un ou plusieurs délégués, soit par la délégation d'un autre pays. Mais il est entendu que le délégué ou les délégués d'un pays ne peuvent être chargés que de la représentation de deux pays, y compris celui qu'ils représentent.

ment of the Swiss Confederation, and by that Government to all the countries of the Union.

3. It implies, as a matter of course, accession to all the clauses and admission to all the advantages stipulated by the present Convention.

4. It devolves upon the Government of the Swiss Confederation to determine, by common consent with the Government of the country concerned, the share to be contributed by the Administration of this latter country towards the expenses of the International Bureau, and, if necessary, the rates to be levied by that Administration in conformity with the foregoing Article X.

XXV. — 1. Congresses of Plenipotentiaries of the contracting countries, or simple Administrative Conferences, according to the importance of the questions to be solved, are held, when a demand for them is made or approved by two-thirds, at least, of the Governments or Administrations, as the case may be.

2. A Congress shall, however, be held at least once in five years.

3. Each country may be represented either by one or by several delegates, or by the delegation of another country. But it is understood that the delegate or delegates of one country can be charged with the representation of two countries only, including the country they represent.

4. Dans les délibérations chaque pays dispose d'une seule voix.

5. Chaque Congrès fixe le lieu de la réunion du prochain Congrès.

6. Pour les Conférences, les Administrations fixent les lieux de réunion sur la proposition du Bureau International.

XXVI.—1. Dans l'intervalle qui s'écoule entre les réunions, toute Administration des Postes d'un pays de l'Union a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le régime de l'Union.

2. Toute proposition est soumise au procédé suivant :—

Un délai de cinq mois est laissé aux Administrations de l'Union pour examiner les propositions et pour faire parvenir au Bureau International, le cas échéant, leurs observations, amendements, ou contre-propositions. Les réponses sont réunies par les soins du Bureau International et communiquées aux Administrations avec l'invitation de se prononcer pour ou contre. Celles qui n'ont point fait parvenir leur vote dans un délai de six mois, à compter de la date de la seconde circulaire du Bureau International leur notifiant les observations apportées, sont considérées comme s'abstenant.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir—

4. In the deliberations each country has one vote only.

5. Each Congress settles the place of meeting of the next Congress.

6. For Conferences, the Administrations settle the places of meeting on the proposal of the International Bureau.

XXVI.—1. In the interval which elapses between the meetings, any Postal Administration of a country of the Union has the right to address to the other Administrations belonging to it, through the medium of the International Bureau, proposals concerning the régime of the Union.

2. Every proposal is subject to the following procedure :—

A period of five months is allowed to the Administrations of the Union to examine the proposals and to furnish to the International Bureau their observations, amendments, or counter-proposals, as the case may be. The answers are tabulated by the International Bureau and communicated to the Administrations with an invitation to declare themselves for or against. Those who have not furnished their vote within a period of six months, counting from the date of the second circular of the International Bureau notifying to them the observations which have been received, are considered as abstaining.

3. In order to become binding, the proposals must obtain—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, ou de la modification des dispositions du présent Article, et des Articles II, III, IV, V, VI, VII, VIII, IX, XII, XIII, XV, et XVIII;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions de la Convention autres que celles des Articles II, III, IV, V, VI, VII, VIII, IX, XII, XIII, XV, XVIII, et XXVI;

(3.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions de la Convention, hors le cas de litige prévu à l'Article XXIII précédent.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, que le Gouvernement de la Confédération Suisse est chargé d'établir et de transmettre à tous les Gouvernements des pays contractants, et dans le troisième cas par une simple notification du Bureau International à toutes les Administrations de l'Union.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XXVII. Sont considérés comme formant, pour l'application des Articles XXII, XXV, et XXVI précédents, un seul pays ou une seule Administration, suivant le cas—

(1.) L'Empire de l'Inde Britannique;

(1.) Unanimity of votes if they involve the addition of new Articles, or any modification of the stipulations of the present Article, or Articles II, III, IV, V, VI, VII, VIII, IX, XII, XIII, XV, and XVIII;

(2.) Two-thirds of the votes if they involve a modification of the stipulations of the Convention other than those of Articles II, III, IV, V, VI, VII, VIII, IX, XII, XIII, XV, XVIII, and XXVI;

(3.) Simply an absolute majority, if they affect the interpretation of the stipulations of the Convention, except in the case of dispute contemplated by the foregoing Article XXIII.

4. Resolutions duly adopted are sanctioned, in the first two cases, by a diplomatic declaration, which the Government of the Swiss Confederation is charged with the duty of preparing and transmitting to all the Governments of the contracting countries, and in the third case by a simple notification from the International Bureau to all the Administrations of the Union.

5. No modification or resolution adopted is binding until at least two months after its notification.

XXVII. For the application of the foregoing Articles XXII, XXV, and XXVI, the following are considered as forming one single country or Administration, as the case may be—

(1.) The Empire of British India;

- (2.) Le Dominion du Canada;
- (3.) L'ensemble des Colonies Britanniques de l'Australasie :
- (4.) L'ensemble des Colonies Danoises ;
- (5.) L'ensemble des Colonies Espagnoles ;
- (6.) L'ensemble des Colonies Françaises ;
- (7.) L'ensemble des Colonies Néerlandaises ;
- (8.) L'ensemble des Colonies Portugaises.

XXVIII. La présente Convention sera mise à exécution le 1^{er} Juillet, 1892, et demeurera en vigueur pendant un temps indéterminé; mais chaque Partie Contractante a le droit de se retirer de l'Union, moyennant un avertissement donné une année à l'avance par son Gouvernement au Gouvernement de la Confédération Suisse.

XXIX.—1. Sont abrogées, à partir du jour de la mise à exécution de la présente Convention, toutes les dispositions des Traités, Conventions, Arrangements, ou autres Actes conclus antérieurement entre les divers pays ou Administrations, pour autant que ces dispositions ne seraient pas conciliables avec les termes de la présente Convention, et sans préjudice des droits réservés par l'Article XXI ci-dessus.

2. La présente Convention sera ratifiée aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

3. En foi de quoi les Plénipotentiaires des pays ci-dessus

- (2.) The Dominion of Canada;
- (3.) The whole of the British Colonies of Australasia ;
- (4.) The whole of the Danish Colonies ;
- (5.) The whole of the Spanish Colonies ;
- (6.) The whole of the French Colonies ;
- (7.) The whole of the Dutch Colonies ;
- (8.) The whole of the Portuguese Colonies.

XXVIII. The present Convention shall come into operation on the 1st July, 1892, and shall remain in force for an indefinite period; but each Contracting Party has the right of withdrawing from the Union by means of a notice given one year in advance by its Government to the Government of the Swiss Confederation.

XXIX.—1. From the date on which the present Convention comes into effect, all the stipulations of the Treaties, Conventions, Agreements, or other Acts previously concluded between the various countries or Administrations, in so far as those stipulations are not in accordance with the terms of the present Convention, are abrogated, without prejudice to the rights reserved by the foregoing Article XXI.

2. The present Convention shall be ratified as soon as possible. The acts of ratification shall be exchanged at Vienna.

3. In faith of which the Plenipotentiaries of the above-named

énumérés ont signé la présente Convention à Vienne, le 4 Juillet, 1891.

countries have signed the present Convention at Vienna, on the 4th July, 1891.

Pour l'Allemagne et les Protectorats Allemands

DR. v. STEPHAN.
SACHSE.
FRITSCH.

Pour les États-Unis d'Amérique

N. M. BROOKS.
WILLIAM POTTER.

Pour la République Argentine..

CÁRLOS CALVO.

Pour l'Autriche

OBENTRAUT.
DR. HOFMANN.
DR. LILIENAU.
HABBERGER.

Pour la Hongrie.. ..

P. HEIM.
S. SCHRIMPF.

Pour la Belgique

LICHTERVELDE.

Pour la Bolivie

Pour le Brésil

LUIZ BETIM PAES LEME.

Pour la Bulgarie

MATTHEEFF.

Pour le Chili

Pour la République de Colombie

G. MICHELSEN.

Pour l'État Indépendant du

Congo

STASSIN.
LICHTERVELDE.
GARANT.
DE CRAENE.

Pour la République de Costa-

Rica

Pour le Danemark et les Colonies

Danoises

LUND.

Pour la République Dominicaine

Pour l'Égypte

Y. SABA.

Pour l'Équateur.. ..

Pour l'Espagne et les Colonies

Espagnoles

FEDERICO BAS.

Pour la France

MONTMARIN.
J. DE SELVES.
ANSAULT.

Pour les Colonies Françaises ..

G. GABRIÉ.

Pour la Grande-Bretagne et di-

verses Colonies Britanniques .

S. A. BLACKWOOD.
H. BUXTON FORMAN.

Pour les Colonies Britanniques

d'Australasie

Pour le Canada	A. B. PAGET.*
Pour l'Inde Britannique ..	H. M. KISCH.
Pour la Grèce	J. GEORGANTAS.
Pour le Guatemala	DR. GOTTHELF MEYER.
Pour la République d'Haïti ..	
Pour le Royaume d'Hawaï ..	EUGÈNE BOREL.
Pour la République du Honduras	
Pour l'Italie	EMIDIO CHIARADIA.
	FELICE SALIVETTO.
Pour le Japon	INDO.
	FUJITA.
Pour la République de Libéria..	BARON DE STEIN.
	W. KOENTZER.
	C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour le Mexique	L. BRETON Y VEDRA.
Pour le Monténégro	OBENTRAUT.
	DR. HOFMANN.
	DR. LILIENAU.
	HABBERGER.
Pour le Nicaragua	
Pour la Norvège.. ..	THB. HEYERDAHL.
Pour le Paraguay	
Pour les Pays-Bas	HOFSTEDE.
	BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises.	JOHN J. PERK.
Pour le Pérou	D. C. URREA.
Pour la Perse	GÉNÉRAL N. SEMINO.
Pour le Portugal et les Colonies	
Portugaises	GUILHERMINO AUGUSTO
	DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN.
	S. DIMITRESCU.
Pour la Russie	GÉNÉRAL DE BESACK.
	A. SKALKOVSKY.
Pour le Salvador	LOUIS KEHLMANN.
Pour la Serbie	SVETOZAR J. GVOZDITCH.
	ET. W. POPOVITCH.
Pour le Royaume de Siam ..	LUANG SURUYA NUVATR.
	H. KEUCHENIUS.
Pour la République Sud-Afri-	
caine	
Pour la Suède	E. VON KRUSENSTJERNA.

* Signed by the British Ambassador at Vienna, August 24, 1891.

Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunisie ..	MONTMARIN.
Pour la Turquie.. ..	E. PETACCI. A. FAHRI.
Pour l'Uruguay.. ..	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.
Pour les États-Unis de Vene- zuela	CARLOS MATZENAÜER.

FINAL PROTOCOL.

AU moment de procéder à la signature des Conventions arrêtées par le Congrès Postal Universel de Vienne, les Plénipotentiaires soussignés sont convenus de ce qui suit :—

I. En dérogation à la disposition de l'Article VI de la Convention, qui fixe à 25 centimes au maximum le droit de recommandation, il est convenu que les États hors d'Europe sont autorisés à maintenir ce maximum à 50 centimes, y compris la délivrance d'un bulletin de dépôt à l'expéditeur.

II. En dérogation aux dispositions de l'Article VIII de la Convention, il est convenu que, par mesure de transition, les Administrations des pays hors d'Europe dont la législation est actuellement contraire au principe de la responsabilité, conservent la faculté d'ajourner l'application de ce principe jusqu'au jour où elles auront pu obtenir du Pouvoir Législatif l'autorisation de l'introduire. Jusqu'à ce moment, les autres Administrations de l'Union ne sont pas astreintes à payer une

At the moment of proceeding to sign the Conventions settled by the Universal Postal Congress of Vienna, the undersigned Plenipotentiaries have agreed as follows :—

I. In modification of the stipulation of Article VI of the Convention, which fixes a maximum registration fee of 25 centimes, it is agreed that the States outside Europe are authorized to maintain this maximum at 50 centimes, including a receipt given to the sender.

II. In modification of the stipulations of Article VIII of the Convention, it is agreed that, as a temporary measure, the Administrations of countries outside Europe, whose legislation is at present opposed to the principle of responsibility, retain the option of postponing the application of that principle until they shall have been able to obtain from the Legislature authority to introduce it. Up to that time the other Administrations of the Union are not bound to pay an indemnity for

indemnité pour la perte, dans leurs services respectifs, d'envois recommandés à destination ou provenant des dits pays.

III. La Bolivie, le Chile, Costa-Rica, la République Dominicaine, l'Equateur, Haïti, Honduras, et Nicaragua, qui font partie de l'Union Postale, ne s'étant pas fait représenter au Congrès, le Protocole leur reste ouvert pour adhérer aux Conventions qui y ont été conclues ou seulement à l'une ou à l'autre d'entre elles.

Le Protocole reste également ouvert en faveur des Colonies Britanniques de l'Australasie, dont les Délégués au Congrès ont déclaré l'intention de ces pays d'entrer dans l'Union Postale Universelle à partir du 1^{er} Octobre, 1891.

Il demeure aussi ouvert à la République Sud-Africaine, dont le Délégué au Congrès a manifesté l'intention de ce pays d'adhérer à l'Union Postale Universelle, en se réservant de fixer ultérieurement la date de son entrée dans cette Union.

Entin, dans le but de faciliter aux autres pays qui sont encore en dehors de l'Union Postale Universelle leur entrée dans celle-ci, le Protocole leur reste également ouvert.

IV. Le Protocole demeure ouvert en faveur des pays dont les Représentants n'ont signé aujourd'hui que la Convention principale, ou un certain nombre seulement des Conventions arrêtées par le Congrès, à l'effet de leur permettre d'adhérer aux

the loss in their respective services of registered articles addressed to or originating in the said countries.

III. Bolivia, Chile, Costa Rica, the Dominican Republic, Ecuador, Hayti, Honduras, and Nicaragua, which form part of the Postal Union, not having been represented at the Congress, the Protocol remains open to them in order that they may adhere to the Conventions which have been concluded at it, or only to one or other of them.

The Protocol also remains open to the British Colonies of Australasia, whose Delegates to the Congress have declared the intention of these countries to enter the Universal Postal Union on the 1st October, 1891.

It also remains open to the South African Republic, whose Delegate to the Congress has declared the intention of that country to adhere to the Universal Postal Union, reserving the fixture hereafter of a date for its entry into that Union.

Finally, with the view of facilitating the entry into the Universal Postal Union of other countries which are still outside it, the Protocol remains equally open to them.

IV. The Protocol remains open to those countries whose Representatives have signed today the principal Convention only, or only a certain number of the Conventions settled by the Congress, in order to admit of their adherence to the other

autres Conventions signées ce jour, ou à l'une ou l'autre d'entre elles.

V. Les adhésions prévues à l'Article III ci-dessus devront être notifiés au Gouvernement Impérial et Royal de l'Autriche-Hongrie, par les Gouvernements respectifs, en la forme diplomatique. Le délai qui leur est accordé pour cette notification expirera le 1^{er} Juin, 1892.

VI. Dans le cas où une ou plusieurs des Parties Contractantes aux Conventions Postales signées aujourd'hui à Vienne ne ratifieraient pas l'une ou l'autre de ces Conventions, cette Convention n'en sera pas moins valable pour les États qui l'auront ratifiée.

En foi de quoi les Plénipotentiaires ci-dessous ont dressé le présent Protocole Final, qui aura la même force et la même valeur que si ses dispositions étaient insérées dans le texte même des Conventions auxquelles il se rapporte, et ils l'ont signé en un exemplaire qui restera déposé aux archives du Gouvernement Autrichien, et dont une copie sera remise à chaque partie.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne et les Protectorats Allemands

Pour les États-Unis d'Amérique

Pour la République Argentine..

Pour l'Autriche

Conventions signed this day, or to one or other of them.

V. The adhesions contemplated in the foregoing Article III must be notified to the Imperial and Royal Government of Austria-Hungary by the respective Governments in diplomatic form. The term accorded to them for that notification will expire on the 1st June, 1892.

VI. In case one or more of the Contracting Parties to the Postal Conventions signed today at Vienna shall not ratify one or other of those Conventions, that Convention shall be none the less valid for the States which shall have ratified it.

In faith of which the undermentioned Plenipotentiaries have drawn up the present Final Protocol, which shall have the same force and value as if its provisions were inserted in the text itself of the Conventions to which it relates, and they have signed it on a single copy which shall remain in the archives of the Austrian Government, and of which a copy shall be handed to each party.

Done at Vienna, the 4th July, 1891.

DR. v. STEPHAN.

SACHSE.

FRITSCH.

N. M. BROOKS.

WILLIAM POTTER.

CÁRLOS CALVO.

OBENTRAUT.

DR. HOFMANN.

			DR. LILIENAU.
			HABBERGER.
Pour la Hongrie..	..	..	P. HEIM.
			S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour la Bolivie ..	..	..
Pour le Brésil ..	..	..	LUIZ BETIM PAES LEME.
Pour la Bulgarie	..	..	P. M. MATTHEEFF.
Pour le Chile ..	..	..
Pour la République de Colombie			G. MICHELSEN.
Pour l'État Indépendant du			
Congo ..	..	..	STASSIN.
			LICHTERVELDE.
			GARANT.
			DR. CRAENE.
Pour la République de Costa-			
Rica ..	..	..
Pour le Danemark et les Colonies			
Danoises ..	..	..	LUND.
Pour la République Dominicaine			
Pour l'Égypte ..	..	..	Y. SABA.
Pour l'Équateur..	..	..
Pour l'Espagne et les Colonies			
Espagnoles ..	..	..	FEDERICO BAS.
Pour la France ..	..	..	MONTMARIN.
			J. DE SELVES.
			ANSAULT.
Pour les Colonies Françaises ..			G. GABRIË.
Pour la Grande-Bretagne et di-			
verses Colonies Britanniques .			S. A. BLACKWOOD.
			H. BUXTON FORMAN.
Pour les Colonies Britanniques			
d'Australasie ..	..	..
Pour le Canada ..	..	..	A. B. PAGET.*
Pour l'Inde Britannique	..		H. M. KISCH.
Pour la Grèce ..	..	..	J. GEORGANTAS.
Pour le Guatemala ..	..	..	DR. GOTTHELF MEYER.
Pour la République d'Haïti	..		
Pour le Royaume d'Hawaï ..	..		EUGÈNE BOREL.
Pour la République du Honduras			
Pour l'Italie ..	..	..	EMIDIO CHIARADIA.
			FELICE SALIVETTO.
Pour le Japon ..	..	..	INDO.
			FUJITA.

* Signed by the British Ambassador at Vienna, August 24, 1891.

Pour la République de Libéria .				BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg				MONGENAST.
Pour le Mexique				L. BRETON Y VEDRA.
Pour le Monténégro				OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour le Nicaragua				
Pour la Norvège				THB. HEYERDAHL.
Pour le Paraguay				
Pour le Pays-Bas				HOFSTEDE. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises				JOH ^s . J. PERK.
Pour le Pérou				D. C. URREA.
Pour la Perse				GÉNÉRAL N. SEMINO.
Pour le Portugal et les Colonies Portugaises				GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie				COLONEL A. GORJEAN. S. DIMITRESCU.
Pour la Russie				GÉNÉRAL DE BESACK. A. SKALKOVSKY.
Pour le Salvador				LOUIS KEHLMANN.
Pour la Serbie				SVETOZAR J. GVOZDITCH. ET. W. POPOVITCH.
Pour le Royaume de Siam ..				LUANG SURIYA NUVATR. H. KEUCHENIUS.
Pour la République Sud-Afri- caine				
Pour la Suède				E. VON KRUSENSTJERNA.
Pour la Suisse				ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..				MONTMARIN.
Pour la Turquie.. ..				E. PETACCI. A. FAHRI.
Pour l'Uruguay				FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.
Pour les États-Unis de Vene- zuela				CARLOS MATZENAUER.

For Detailed Regulations, see page 762.

*AGREEMENT between Austria-Hungary and Italy, for the Mutual Relief of Distressed Seamen.—Signed at Vienna, February 13, 1889.**

AFIN de régler l'assistance à donner, dans certains cas, aux marins délaissés de l'Autriche-Hongrie et de l'Italie, les Soussignés, savoir, son Excellence le Ministre de la Maison Impériale et des Affaires Étrangères de Sa Majesté Impériale et Royale Apostolique, et son Excellence l'Ambassadeur de Sa Majesté le Roi d'Italie auprès de Sa Majesté Impériale et Royale Apostolique, dûment autorisés à cet effet, sont convenus de ce qui suit:—

Lorsqu'un marin, sujet de l'une des Parties Contractantes, après avoir servi à bord d'un navire appartenant à l'autre Partie, se trouvera, par suite de naufrage ou pour d'autres causes, qui ne lui sont pas imputables, délaissé sans ressources, soit sur le territoire d'une tierce Puissance ou de ses Colonies, soit sur le territoire ou dans les Colonies de la Partie Contractante dont le navire porte le pavillon, cette dernière sera tenue d'assister ce marin jusqu'à ce qu'il s'embarque de nouveau ou trouve un autre emploi, ou jusqu'à son arrivée dans son propre pays ou dans les Colonies de ce dernier, ou, enfin, jusqu'à son décès.

Il est toutefois entendu que le marin, avant que deux jours se soient écoulés depuis son débarquement, devra, sauf le cas de force majeure, profiter de la première occasion qui se présentera pour justifier devant les autorités compétentes de la Partie Contractante appelée à lui prêter assistance, de son dénûment et des causes qui l'ont amené. Il devra prouver, en outre, que ce dénûment est la conséquence naturelle de son débarquement. Faute de quoi, le marin sera déchu de son droit à l'assistance.

Il sera également déchu de ce droit dans le cas où il aura déserté ou aura été renvoyé du navire pour crime ou délit, ou aura quitté le navire pour incapacité de service à la suite de maladie ou de blessure occasionnées par sa propre faute.

L'assistance comprend l'entretien, l'habillement, les soins médicaux, les médicaments, les frais de voyage, et, en cas de mort, ceux de sépulture.

Le présent Accord sera exécutoire simultanément† en Autriche-Hongrie et en Italie, après l'approbation des Corps Législatifs Autrichiens et Hongrois et la ratification de Sa Majesté Impériale et Royale Apostolique, et il restera en vigueur jusqu'à ce que l'une ou

* Signed also in the German language.

† This Agreement came into operation on the 15th July, 1889.

l'autre des Parties Contractantes aura annoncé, une année d'avance, son intention d'en faire cesser les effets.

En foi de quoi les Soussignés ont signé le présent Accord et y ont apposé le cachet de leurs armes.

Fait à Vienne, le 13 Février, 1889.

(L.S.) KÁLNOKY.

(L.S.) NIGRA.

*AGREEMENT between Austria-Hungary and Spain, for the Mutual Relief of Distressed Seamen.—Signed at Vienna, March 11, 1889.**

AFIN de régler l'assistance à donner, dans certains cas, aux marins délaissés de l'Autriche-Hongrie et de l'Espagne, les Soussignés, savoir, son Excellence le Ministre de la Maison Impériale et des Affaires Étrangères de Sa Majesté Impériale et Royale Apostolique, et son Excellence l'Ambassadeur de Sa Majesté la Reine-Régente d'Espagne auprès de Sa Majesté Impériale et Royale Apostolique, dûment autorisés à cet effet, sont convenus de ce qui suit:—

Lorsqu'un marin, sujet de l'une des Parties Contractantes, après avoir servi à bord d'un navire appartenant à l'autre Partie, se trouvera, par suite de naufrage ou pour d'autres causes, qui ne lui sont pas imputables, délaissé sans ressources, soit sur le territoire d'une tierce Puissance ou de ses Colonies, soit sur le territoire ou dans les Colonies de la Partie Contractante dont le navire porte le pavillon, cette dernière sera tenu d'assister ce marin jusqu'à ce qu'il s'embarque de nouveau ou trouve un autre emploi, ou jusqu'à son arrivée dans son propre pays ou dans les Colonies de ce dernier, ou, enfin, jusqu'à son décès.

Il est toutefois entendu que le marin, avant que deux jours se soient écoulés depuis son débarquement, devra, sauf le cas de force majeure, profiter de la première occasion qui se présentera pour justifier devant les autorités compétentes de la Partie Contractante appelée à lui prêter assistance, de son dénûment et des causes qui l'ont amené. Il devra prouver, en outre, que ce dénûment est la conséquence naturelle de son débarquement. Faute de quoi, le marin sera déchu de son droit à l'assistance.

Il sera également déchu de ce droit dans le cas où il aura

* Signed also in the German language.

déserté ou aura été renvoyé du navire pour crime ou délit, ou aura quitté le navire pour incapacité de service à la suite de maladie ou de blessure occasionnées par sa propre faute.

L'assistance comprend l'entretien, l'habillement, les soins médicaux, les médicaments, les frais de voyage, et, en cas de mort, ceux de sépulture.

Le présent Accord sera exécutoire simultanément* en Autriche-Hongrie et en Espagne après l'approbation des Corps Législatifs Autrichiens et Hongrois et la ratification de Sa Majesté Impériale et Royale Apostolique, et il restera en vigueur jusqu'à ce que l'une ou l'autre des Parties Contractantes aura annoncé, une année d'avance, son intention d'en faire cesser les effets.

En foi de quoi les Soussignés ont signé le présent Accord et y ont apposé le cachet de leurs armes.

Fait à Vienne, le 11 Mars, 1889.

(L.S.) KÁLNOKY.

(L.S.) R. MERRY DEL VAL.

ACT of the Government of South Australia, to continue "The Chinese Immigration Restriction Act, 1888."†

[No. 534.]

[Assented to December 19, 1891.]

WHEREAS it is desirable to continue the operation of "The Chinese Immigration Restriction Act, 1888:"

Be it therefore enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:—

1. Notwithstanding anything to the contrary contained in section 18 of the said "Chinese Immigration Restriction Act, 1888," and section 1 of the Act No. 494 of 1890.‡ to further amend "The Chinese Immigration Restriction Act, 1888," the said "Chinese Immigration Restriction Act, 1888," except as hereby altered, shall continue in full force and operation until altered or repealed.

2. None of the provisions of "The Chinese Immigration Act,

* This Agreement came into operation on the 15th July, 1889.

† Vol. LXXIX, page 1811.

‡ This Act continued the operation of "The Chinese Restriction Act, 1888," to January 1, 1892.

1888," shall apply to any Chinese who have been, before the 1st day of October, 1891, naturalized as British subjects in South Australia, or in any other Australasian Colony which may afford similar privileges to Chinese naturalized in South Australia or to the wife of any such Chinese.

3. This Act shall be incorporated and read as one with "The Chinese Immigration Restriction Act, 1888," except so far as inconsistent therewith.

TRAITÉ de Commerce entre l'Allemagne et la Suisse.—Signé à Vienne, le 10 Décembre, 1891.

[Ratifications échangées à Berlin, le 30 Janvier, 1892.]

(Traduction.)

LE Conseil Fédéral de la Confédération Suisse, d'une part, et Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, au nom de l'Empire Allemand, d'autre part, animés du désir de consolider et de développer de plus en plus les relations commerciales entre les deux pays, ont à cet effet entamé des négociations et nommé pour leurs Plénipotentiaires :

Le Conseil Fédéral de la Confédération Suisse, son Envoyé Extraordinaire et Ministre Plénipotentiaire Dr. Arnold Roth; le Conseiller National Bernard Hammer; le Conseiller National Conrad Cramer-Frey;

Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, son Altesse le Prince Henri VII Reuss, son Adjudant-Général et Général de Cavalerie, son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie;

Qui, sous réserve de ratification réciproque, ont conclu le Traité de Commerce et de Douane dont la teneur suit:—

ART. I.* Les deux Parties Contractantes s'assurent réciproquement le traitement de la nation la plus favorisée pour ce qui a trait aux droits d'entrée et de sortie.

En conséquence, chacune des deux Parties s'engage à faire profiter l'autre dans la même mesure, sans contre-prestations quelconques, de toute faveur, de tout privilège ou réduction que, sous les rapports susmentionnés, elle a accordés ou accorderait dans la suite à une tierce Puissance.

Les Parties Contractantes s'engagent, en outre, à n'établir l'une

* See Protocol, page 562.

envers l'autre aucune prohibition d'importation ni d'exportation qui ne soit, en même temps ou sous les mêmes conditions, applicable aussi aux autres nations.

Toutefois, pendant la durée du présent Traité, les Parties Contractantes ne prohiberont pas l'une envers l'autre l'exportation du blé, du bétail de boucherie, et des combustibles.

II.* Les objets d'origine ou de fabrication Suisse, énumérés dans le Tarif (A) joint au présent Traité, seront, à leur entrée dans le territoire douanier Allemand, admis aux conditions fixées par le dit Tarif.

Les objets d'origine ou de fabrication Allemande, énumérés dans le Tarif (B) joint au présent Traité, seront, à leur entrée en Suisse, admis aux conditions fixées par le dit Tarif.

III.* Les marchandises de toute nature venant de l'un des deux territoires ou y allant seront réciproquement exemptes dans l'autre de tout droit de transit.

En ce qui concerne le transit, les Parties Contractantes s'assurent, sous tous les rapports, le traitement de la nation la plus favorisée.

IV.* Pour faciliter le trafic de frontière réciproque, les Parties Contractantes sont convenues des dispositions spéciales indiquées dans l'Annexe (C) du présent Traité.

V.* La franchise de droit d'entrée et de sortie est réciproquement accordée, si l'identité des objets exportés et réimportés est hors de doute :—

1. Pour les marchandises (à l'exception des objets de consommation alimentaire) qui, sortant du commerce libre dans l'un des territoires douaniers, sont amenées dans l'autre territoire ;

Sur les marchés ou les foires, ou ailleurs, pour une vente incertaine, ou comme échantillons ;

Lorsque ces marchandises, après un délai à fixer d'avance, rentrent non vendues sur le premier territoire ;

2. Pour le bétail mené d'un territoire sur les marchés de l'autre et qui en revient non vendu ;

3. Pour les tonneaux, sacs, &c., vides, amenés d'un territoire douanier dans l'autre pour l'achat d'huile, de blé, &c., et destinés à être exportés ou à revenir sur le premier territoire après l'exportation de l'huile, du blé, &c., qu'ils renfermaient ;

4. Pour le bétail mené d'un territoire douanier dans l'autre, pour l'affouragement, l'engrais, ou la pâture et revenant dans le premier après l'affouragement, l'engrais, ou le temps de la pâture.

VI.* Pour régler le trafic des marchandises qui sont amenées d'un pays dans l'autre pour y être perfectionnées ou réparées, il

est stipulé que les objets suivants resteront exempts de tout droit d'entrée et de sortie à leur retour de ce pays :—

(a.) Les tissus et les fils à laver, blanchir, teindre, fouler, apprêter, imprimer, broder, les fils à tricoter et à retordre ;

(b.) Les filés (y compris les accessoires nécessaires) pour la confection de dentelles et des passementeries ;

(c.) Les fils en chaînes tondues (ou collées), avec le fil de trame nécessaire pour la fabrication de tissus ;

(d.) La soie à teindre ou à reteindre ;

(e.) Les cuirs et peaux pour la tannerie et la pelleterie ;

(f.) Les objets à vernir, polir et peindre, exportés d'un pays dans l'autre ;

(g.) Les autres objets amenés d'un territoire douanier dans l'autre pour être réparés, travaillés, ou perfectionnés, et, après une telle opération, réintroduits dans le premier territoire, en observant les prescriptions particulières émises pour de tels cas, lorsque leur nature essentielle et leur dénomination restent les mêmes, savoir :

Dans tous ces cas, pour autant que l'identité des marchandises et objets exportés et réimportés est hors de doute.

Pour les fils et les tissus, la franchise de droit pourra d'ailleurs être subordonnée à la production de la preuve que les marchandises exportées pour être perfectionnées sont originaires du pays même ; est exceptée la soie à teindre ou à reteindre, article pour lequel cette preuve n'est pas exigée.

VII.* Pour favoriser les relations commerciales réciproques, les Parties Contractantes rendront les expéditions douanières aussi faciles que les intérêts de l'Administration des Douanes le permettent.

VIII.* Les taxes internes de production, de fabrication, ou de consommation, qui grèvent les produits d'un des États Contractants, soit pour le compte de l'État même, soit pour le compte de cantons, de provinces, de communes, et de corporations, ne pourront frapper, sous aucun prétexte, ni d'un taux plus élevé, ni d'une manière plus onéreuse, les produits similaires originaires de l'autre État Contractant.

Aucune des Parties Contractantes ne pourra frapper à l'importation, sous prétexte d'une taxe interne, ni de droits nouveaux, ni de droits plus élevés, des articles non produits dans le pays même et compris dans les Tarifs annexés au présent Traité.

Si l'une des Parties Contractantes juge nécessaire d'établir un nouveau droit d'accise ou taxe interne ou une taxe additionnelle sur un article de production ou de fabrication nationale compris dans les Tarifs annexés au présent Traité, l'article similaire étranger

* See Protocol, page 582.

pourra être immédiatement grevé, à l'importation, d'un droit ou d'un supplément de droit égal.

Les produits formant l'objet de monopoles d'État de l'une des Parties Contractantes, ainsi que les articles servant à la fabrication de marchandises monopolisées, pourront, en garantie du monopole, être assujettis à une finance d'entrée complémentaire, même dans le cas où les produits ou articles similaires indigènes n'auraient pas à acquitter cette taxe.

Les Parties Contractantes, tout en maintenant le principe inscrit au premier alinéa de cet Article, se réservent le droit de frapper, à leur importation, les produits dans la fabrication desquels il entre de l'alcool, non seulement du droit qui sera fixé au Tarif, mais encore d'une finance équivalente à la taxe intérieure qui grève l'alcool employé.

IX. Les négociants, fabricants et autres industriels qui prouvent, par l'exhibition d'une carte de légitimation industrielle délivrée par les autorités de leur pays, que, dans l'État où ils ont leur domicile, ils sont autorisés à exercer leur commerce ou industrie et qu'ils acquittent les taxes et impôts légaux, auront le droit, personnellement ou par des voyageurs à leur service, de faire des achats dans le territoire de l'autre Partie Contractante, chez des négociants ou dans les locaux de vente publics, ou chez les personnes qui produisent ces marchandises. Ils pourront aussi prendre des commandes, même sur échantillons, chez les négociants ou autres personnes dans l'exploitation industrielle desquels les marchandises du genre offert trouvent leur emploi. Ni dans un cas ni dans l'autre ils ne seront astreints à acquitter pour cela une taxe spéciale.

Les industriels (voyageurs de commerce) munis d'une carte de légitimation industrielle ont le droit d'avoir avec eux des échantillons, mais non des marchandises.

Les cartes de légitimation industrielle devront être établies conformément au modèle figurant à l'Annexe (D).

Les Parties Contractantes se feront réciproquement connaître quelles autorités sont compétentes pour délivrer les cartes de légitimation industrielle, et quelles prescriptions doivent être observées par les titulaires de ces cartes pour l'exercice de leur profession.

Les dispositions ci-dessus ne sont pas applicables aux industries ambulantes, non plus qu'au colportage et à la recherche de commandes chez des personnes n'exerçant ni commerce ni industrie.

X. Le présent Traité s'étend aux pays ou territoires qui sont actuellement ou seraient plus tard liés par une Union Douanière avec l'une des Parties Contractantes.

XI. Le présent Traité entrera en vigueur le 1^{er} Février, 1892, et restera exécutoire jusqu'au 31 Décembre, 1903. Dans le cas où

aucune des Parties Contractantes n'aurait notifié à l'autre, douze mois avant la fin de cette période, son intention de faire cesser les effets du Traité, il demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Parties Contractantes l'aura dénoncé. Les Parties Contractantes se réservent le droit d'introduire dans ce Traité, d'un commun accord, toute modification qui ne serait pas en opposition avec son esprit et ses principes, et dont l'utilité serait démontrée par l'expérience.

XII. Le présent Traité sera ratifié, et les ratifications seront échangées le plus tôt possible.

Ainsi fait à Vienne, le 10 Décembre, 1891.

(L.S.) ROTH.

(L.S.) HAMMER.

(L.S.) C. CRAMER-FREY.

(L.S.) H. VII P. REUSS.

TABLE (A).—Droits à l'Entrée dans le territoire Douanier Allemand.

(N.B.—Les taux du Tarif Général sont données entre parenthèses à la fin de chaque position. Là où il n'y a pas d'indication, les droits conventionnels sont les mêmes que ceux du Tarif Général.)

Numéros du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Bases.	Droits en Unités.		
			Allemandes.		Françaises.
			M. pf.	Fr. c.	
1	Déchets— (a.) Déchets de la fabrication du fer (pailles, limailles), de la tôle étamée et zinguée; de la fabrication du verre, verrerie et poterie cassées; déchets de la fabrication de la cire; lessive-mère des savonneries; déchets de corroierie, et autres débris de cuir ne pouvant servir qu'à fabriquer de la colle forte (b.) Sang, animal, liquide ou desséché; tendons d'animaux; marcs de raisins; lavure d'eau-de-vie; balle de grains; son; germes de malt; cendres de houille; engrais animaux et autres, tels que, cendres lessivées; cendres de chaux, écume d'os, argile et os d'animaux, de toute sorte Coton et articles en coton— (c.) Filés de coton, purs, ou mélangés de lin, de soie, de laine, ou d'autres matières textiles, végétales ou animales— 1. A un bout, écrus— 5. Au-dessus du No. 60 jusqu'au No. 79 Anglais (30 fr.) 5. Au-dessus du No. 79 Anglais (36 fr.) .. .. .	.. .. .. .. 100 kilog. .. "	Exempts. Exempts. 24 00 24 00	30 00 30 00	
2					

* See Protocol, page 552.

Numéros du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
2 (suite).	Coton et articles en coton (<i>suite</i>)—			
	4. A trois bouts et plus, à une ou plusieurs torsions, écrus, blanchis, teints	100 kilog. ..	48 00	60 00
	A trois bouts et plus, à une torsion, écrus (fil à broder), moyen-nant certificat d'autorisation comme étant destinés à la broderie (48 fr.)	" ..	36 00	45 00
	5. A deux bouts, à plusieurs torsions, écrus, blanchis, teints; même fil retors de toute sorte, assorti, préparé pour la vente au détail.	" ..	70 00	87 50
	(d.) Articles en coton, pur ou combiné avec des fils métalliques, sans mélange de soie, de laine, ou des autres poils d'animaux mentionnés au No. 41—			
	cr 1. Tissus foulés, écrus (tissus sans fin et couvertures de cylindres lainées, genre feutre, feutres à sécher, &c.), en coton, pour la fabrication de pâtes de bois, de fibres de paille, de cellulose et de papier (80 fr.)	" ..	65 00	81 25
	3. Tous les tissus serrés non compris sous les Nos. 1, 2, et 6; tissus non serrés, écrus (fabriqués avec du fil écrus), à l'ex-ception des tissus pour rideaux s'ils ne rentrent pas sous le chiffre 1; bonneterie, si elle n'est pas spécialement dénommée plus loin; passementerie et boutonnerie; même les fils com-binés avec des fils métalliques	" ..	120 00	150 00
	Bonneterie en coton (120 fr.)	" ..	95 00	118 75
	5. Tous les tissus non serrés, tels que jaconas, mousseline, mous-	" ..		

5	Dragueries, substances et préparations pharmaceutiques, et couleurs— <i>ex (m)</i> . Matières pour la couleur d'aniline, extrait de baies de teinture, de séné, et de noix de galle; poudre d'os .. .. .	.. .. .	.. .. .	.. .. .	187 50 275 00 343 75
6	Fer, et ouvrages en fer— (c.) Ouvrages en fer— 1. Tout à fait communs— <i>a</i> . En fonte de fer <i>ex B</i> . Fer forgé, brut pour grosses pièces de machines et voitures; ponts et parties de ponts .. .. .	.. .. .	.. .. .	.. .. .	Exempt.
7	Terres, minerais, métaux précieux, asbeste, et objets en asbeste— <i>ex (a)</i> . Terres et substances minérales brutes, même calcinées, lavées ou moulues, y compris minerais même apprêtés, si ces objets ne sont pas spécialement tarifés: métaux précieux, monnayés, en barres ou en débris .. .. .	.. .. .	.. .. .	.. .. .	Exempt.
9	Céréales, et autres produits agricoles— (k.) Produits agricoles non dénommés ailleurs .. .. .	.. .. .	.. .. .	.. .. .	Exempt.
13	Bois, et autres matières à tailler, végétales et animales, ainsi que les objets qui en sont fabriqués— <i>ex (a)</i> . Rognures de corne, sabots, et griffes, os (comme matières à tailler), bruts .. .. .	.. .. .	.. .. .	.. .. .	Exempt.
15	Instrument, machines, et voitures— (a.) Instruments, sans égard à la matière dont ils sont composés— <i>ex 1</i> . De musique, à l'exception des pianos, pianinos, harmoniums, et autres instruments semblables à touches, mais y compris les orgues d'églises—boîtes à musique (30 fr.) .. .. .	.. .. .	.. .. .	.. .. .	Exempt.
		100 kilog.	2 50	3 12½	
		..	3 00	3 75	
		100 kilog.	20 00	25 00	

* Les Nos. 2 (*d*), 1, 2, 4, et 6 du Tarif Général Allemand sont ainsi conçus: Tissus de coton serrés, écrits (fabriqués avec du fil écrit), non compris les velours; 1. Tissus serrés, blanchis, même apprêtés, non compris les velours, 100 marks; 2. Tissus pour rideaux blanchis ou apprêtés, 230 marks; 3. Dentelles et broderies de toute sorte, 350 marks par 100 kiog.

Exempt.

Exempt.	100 kilog.	9 00	11 25
..	..	8 00	10 00
..	..	30 00	37 30
..	..	60 00	75 00
..	..	100 00	125 00
..	..	120 00	150 00
La pièce	..	0 80	1 00
..	..	0 00	0 75
..	..	0 40	0 50

ex (d). Bateaux de rivière, y compris le mobilier de bord ordinaire, les ancres, chaînes d'ancres, et autres chaînes de bateaux, ainsi que les machines et chaudières à vapeur.
 Cuivre et autres métaux communs non spécialement dénommés, alliages de métaux communs non dénommés ailleurs, et ouvrages de ces métaux et alliages—
 ex (a). Aluminium, pur, à l'état brut
 ex (b). Aluminium, laminé (12 fr.)
 Câbles télégraphiques (12 fr.)
 (d.) Ouvrages, savoir—
 2. Autres, s'ils ne sont pas compris sous le No. 19 (d), 3, ou si, par suite de leur combinaison avec d'autres matières, ils ne rentrent pas sous le No. 20
 3. En aluminium, nickel, fins, spécialement objets de luxe en allénide, en métal Anglais, en bronze, argentan, tombac, et alliages semblables; en laiton, fins, vernis, même combinés avec d'autres matières; si tous ces articles ne rentrent pas sous le No. 20*
 Mercerie, quincaillerie, &c.—
 ex (a). Or, laminé, de 1 millim. d'épaisseur au moins, et fil d'or, de 2 millim. d'épaisseur au moins (600 fr.)
 (c.) 3. Ouvrages en fils de coton, lin, soie, laine, ou autres poils d'animaux; combinés avec des matières à tailler, animales ou végétales, des métaux communs, du verre, de la gutta-percha, du caoutchouc, du cuir, du drap-cuir, du papier, du carton, de la pierre, de la paille, ou de la poterie, et non spécialement tarifés
 (d.) Montres de poche, mouvement et boîtes—
 1. Montres avec boîtes d'or (3 fr.)
 2. Montres avec boîtes d'argent, même dorées ou avec carreaux, anneaux, ou pendants dorés ou plaqués (1 fr. 50 c.)
 Mouvements sans boîtes (1 fr. 50 c.)

* Le No. 20 du Tarif Général Allemand renferme entre autres la mercerie, la quincaillerie, &c. (autres qu'en métaux précieux et que celles dénommées sous le No. 20 (c), 3 ci-dessus), 200 marks par 100 kilog.

Numéros du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
20 (<i>suite</i>).	<p>Mercerie, quincaillerie, &c. (<i>suite</i>)—</p> <p>3. Montres avec boîtes d'autres métaux (50 centimes)</p> <p>4. Boîtes d'or, sans mouvements (1 fr. 50 c.) ..</p> <p>5. Autres boîtes sans mouvements (50 centimes)</p>	..		
21	<p>Cuir, et ouvrages en cuir—</p> <p><i>ex (b)</i>. Cuir pour semelles (36 fr.) ..</p> <p><i>ex (c)</i>. Courroies de transmission, en cuir (50 fr.) ..</p> <p><i>(e)</i>. Gants de peau ..</p>	La pièce " " 100 kilog.	0 40 0 40 0 40	0 50 0 50 0 50
22	<p>Fil et toile de lin et autres articles en lin—</p> <p><i>(i)</i>. Broderies..</p> <p><i>(k)</i>. Dentelles en fil (800 fr.) ..</p>	..	30 00 45 00 100 00	37 50 56 25 125 00
24	<p>Objets littéraires et artistiques—</p> <p><i>(a)</i>. Papier écrit (actes et manuscrits); livres en toute langue, gravures sur cuivre, sur bois, et autres; lithographies et photographies; cartes géographiques et de marine; musique ..</p>	..	150 00 600 00	187 50 750 00
25	<p>Épicerie, confiserie, et autres comestibles—</p> <p><i>(f)</i>. Beurre, même artificiel (20 fr.) ..</p> <p><i>ex (g)</i>. 1. Extrait de viande, liquide, et tablettes de bouillon ..</p> <p><i>ex (o)</i>. Fromages à pâte duré, en pains ayant la forme de meules, la pièce pesant au moins 50 kilog. (20 fr.) ..</p> <p>Autres fromages ..</p> <p><i>ex (p)</i>. 1. Farine lactée pour l'alimentation des enfants (farine Nestlé et similaires) ..</p>	.. 100 kilog. " " " "	Exempta. 16 00 20 00 15 00 20 00 50 00	20 00 25 00 18 75 25 00 62 50

<i>ex (a).</i> Soie, dévidée (non filée, grège), ou filée, bourre de soie, peignée, filée, ou retorse, les dits soies non teintés, déchetés de soie teintés	..	100 kilog.	..	24 00	Exempts.	30 00
<i>(b).</i> Quatre de soie..	..	..	..	36 00	Exempts.	45 00
<i>(c).</i> Soies, et bourres soie, teintés, lacets	..	..	..
Déchetés peignés de soie teinte (36 fr.)	..	..	..
<i>(d).</i> Fil retors de soie écrue (soie à coudre, à boutonniers, &c.), teinte ou non (200 fr.)	..	..	..
<i>(e).</i> 1. Articles en soie ou bourre de soie (800 fr.)	..	..	..	140 00		175 00
<i>ex (e).</i> 2. Broderies de soie ou mi-soie	..	..	..	600 00		750 00
<i>ex (e).</i> 3. Rubans avec tissu ouvert—	..	..	..	600 00		750 00
De soie (1,000 fr.)	..	..	..	800 00		1,000 00
De mi-soie (1,000 fr.)	..	..	..	450 00		512 50
<i>Observation.</i> —Par tissu ouvert on comprend le tissu dans lequel la distance d'un fil de chaîne à un autre est plus grande que l'épaisseur du fil lui-même.						
Gaze à blutoir (1,000 fr.)	..	..	..	600 00		750 00
<i>(f.)</i> Tous les articles de soie ou de bourre de soie non compris sous la lettre <i>(e)</i> ,* combinés avec la coton, le lin, la laine, ou d'autres matières textiles, animales, et végétales..	..	..	..
<i>Observation.</i> —Il n'est pas tenu compte de la présence de la soie dans les tissus, où elle est roulée sur des fils d'autres matières textiles, quand elle ne cache pas les dits fils et qu'elle ne les suit pas dans toute leur longueur.	..	..	..	450 00		512 50
Pierres, et ouvrages en pierres—	..	..	..
<i>(a.)</i> Pierres brutes ou simplement taillées, même moulues	..	..	..		Exempts.	
<i>Observation.</i> —Les blocs dont trois côtés seulement portent des traces du travail à la soie rentrent dans la catégorie des pierres brutes ou simplement taillées.						

* Le No. 30 *(e)* du Tarif Général Allemand est ainsi conçu: 1. Tissus de soie ou de bourre de soie, même combinés avec des fils métalliques; tissus de soie mélangés d'autres matières textiles ainsi que de fils métalliques, 800 marks; 2. Dentelles, blondes, et broderies, en tout ou en partie de soie, 600 marks; 3. Gaze, crêpe, en tout ou en partie de soie, 1,000 marks par 100 kilog.

Numéros du Tarif Général Allemand en vigueur au moment de la conclusion du Traité.	Désignation des Marchandises.	Bases.	Droits en Unités.	
			Allemandes.	Françaises.
			M. pf.	Fr. c.
33 (<i>suite</i>).	Pierres, et ouvrages en pierres (<i>suite</i>)— <i>ex (e)</i> . Ardoises pour toitures (1 fr. 50 c.) <i>ex (f)</i> . Plaques d'ardoise coupées ou fendues, non polies.. <i>(h)</i> . Autres ouvrages en pierre, à l'exception des statues et des objets en pierre-fines et en lave— 1. Non combinés avec d'autres matières, ou combinés seulement avec le bois ou le fer, mais non polis, ni vernis— (a). En albâtre, marbre, granit, syénite, porphyre, ou autres pierres dures (15 fr.) Animaux, et produits du règne animal, non dénommés ailleurs— <i>ex (a)</i> . Lait naturel et lait stérilisé, non condensé, sans addition, à l'état liquide, en récipients de tout genre Bétail— (b). Taureaux et vaches (c). Bœufs (30 fr.) (d). Jeune bétail au-dessous de 2 ans et demie (6 fr.) (e). Veaux de moins de 6 semaines Laines, y compris les poils d'animaux non dénommés ailleurs, ainsi que les articles en ces matières— (c.) Fils, même mélangés, de matières textiles autres que le coton— 3. Autres fils— a. Écrus, simples	100 kilog. " " " " " " " La pièce " " " " 100 kilog.	0 50 3 00 10 00 Exempts. 9 00 25 50 5 00 3 00 8 00	0 624 3 75 12 50 11 25 31 87 6 25 3 75 10 00
37				
39				
41				

5. Draps et tissus non imprimés, ne rentrant pas sous les Nos. 7 et 8—	poil de bétail et du crin, et même combinés avec des filaments végétaux et d'autres matières textiles	.. ..	.. ..	.. ..	100 00	125 00
	a. D'un poids dépassant 200 grammes pour une surface de 1 mètre carré, s'ils ne sont pas spécialement dénommés ci-après	.. ..	.. ..	.. ..	135 00	168 75
	Tissus feutrés, en laine, écrus, même combinés avec le coton ou le lin, tissés sans fin pour la fabrication de bois et de paille, de cellulose et de papier (135 fr.)	.. ..	.. ..	.. ..	100 00	125 00
	β. D'un poids de 200 grammes ou moins pour une surface de 1 mètre carré	.. ..	.. ..	.. ..	220 00	275 00
ex 7. Broderies..	.. ..	.. ..	.. ..	.. ..	300 00	375 00

ANNEXE (B).*

TARIF (B).—Droits à l'Entrée en Suisse.

(N.B.—Les taux du Tarif Général sont donnés entre parenthèses à la fin de chaque position. Là où il n'y a pas d'indication, les droits conventionnels sont les mêmes que ceux du Tarif Général.)

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	Droits
1	Déchets de la fabrication du fer (limaille, tournure, &c.), des verreries, de la fabrication de la cire, des savonneries, des teintureries; tessons de verre et de poterie; déchets de peaux ne pouvant servir qu'à la fabrication de la colle forte; résidus de la distillation; résidus de fruits pressurés, non dénommés ailleurs; sang animal, liquide ou desséché; rognures (copeaux) de corne; tendons d'animaux; sabots et griffes, os; raclures, cendres, et scories de métaux précieux; &c.	..	..
ex 3	Son, tourteaux et farine de tourteaux; germes et résidu de malt, même séchés; déchets de la minoterie, &c., servant à l'alimentation du bétail; graine de nielle des blés	..	..
5	Engrais— Fumier d'écurie; compost (terreaux); cendre de chaux (plamée), et résidu de noir animal (écume sèche de raffineries de sucre); cendre (d'os, de houille, de tourbe, de bois), lessivée ou non; limon, balayures, &c.; chiffons pour engrais (de laine et de mi-laine), sciure de corne, de cuir, et autres déchets servant à la fabrication des engrais	..	..
6	Guano, phosphorites, phosphates; poudre d'os, &c.— Non chimiquement préparés; en outre, sels d'ammoniaque, bruts, sulfate d'ammoniaque, chlorure de potassium, engrais de potasse; résidus salins de Stassfurt; acide sulfurique ayant déjà servi	..	..
7	Chimiquement préparés; en outre les engrais artificiels	..	100 kilog
ex 10	Alcaloïdes, produits chimiques et autres, ne rentrant pas dans les Nos. 16 à 20† du Tarif Suisse; extrait de quina; camphre raffiné (10 fr.)	..	..

* See Protocol, page 582.

† Le No. 16 du Tarif Général Suisse est ainsi conçu: M
brutes, telles que: jus de citron; gomme, résines brutes, et
alpêtre, brut; soufre, brut ou raffiné; goudron, liquide; ta
Z., sèches, &c., 20 fr. par 100 kilog.

Désignation des Marchandises.	Bases.	Droits.
		Fr. c.
Eau minérale, naturelle et artificielle, y compris les bouteilles et les cruchons; sels de source et sels pour bains et extraits de marais tourbeux, même avec désignation de leur action médicale, en caissettes ou en bouteilles (3 fr.)	100 kilog. ..	1 50
Produits pharmaceutiques, tels que, poudres, pastilles, emplâtres, pilules, onguents, teintures, huiles essentielles, et essences, &c.— Emballés en gros, c'est-à-dire, susceptibles d'être fractionnés pour la vente au détail (50 fr.) ..	.. ..	45 00
Pastilles de sels de source et de sels pour bains emballées en détail (100 fr.) .. .. .	.. ..	40 00
Matières auxiliaires préparées— Potasse caustique, soude caustique, lessive de potasse et de soude, alun, acide arsénieux (arsenic blanc); sulfate de baryte; noir animal, chlorure de baryum; chlorure de calcium, brut; chlorure de chaux; chlorure de magnésium; chlorure de manganèse; alun de chrome; mordant de fer; extraits liquides de substances contenant du tanin; litharge; pyrolignite de chaux; phénate de chaux, brut; chlorhydrate de chaux; sulfate de magnésie (sel amer); sulfate de soude (sel de Glauber); acide chlorhydrique; fleur de soufre; sulfure de fer; sulfure de sodium; acide sulfurique; soude brute; acétate et sulfate d'alumine, sulfate (vitriol) de fer, de cuivre, et de zinc; verre soluble .. ..	.. ..	0 30
(a.) Arséniate de soude, liquide; bicarbonate de soude, sulfite et bisulfite de soude; acide nitrique (azotique); aniline; combinaisons d'aniline pour la fabrication des couleurs (1 fr.) .. ..	.. ..	0 60
(b.) Acide arsénique; acide benzoïque; huile d'amandes amères, artificielle; acétate de plomb (sel de Saturne); nitrate de plomb; bioxyde de plomb; borax; acide phénique, brut; cachou; chlorure d'aluminium; chlorure de zinc; acide gallique; acide tannique (tanin); extraits solides de substances contenant du tanin; glycérine; verdet; vinaigre de bois; acide acétique, brut, à odeur empyreumatique; esprit pyroligneux, brut; prus-		

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	Dr
	siate de potasse, jaune; chlorate de potasse; chromate de potasse, rouge; bisulfite de chaux; acide oxalique; sels de soude, non dénommés ailleurs; oléine (acide oléique); acide naphthalique (alizarique); potasse; résorcine; huile de ricin pour usages techniques; sulfocianure de potassium; acide salicylique; chlorure d'ammonium (sel ammoniac); esprit de sel ammoniac; salpêtre raffiné; oxalate de potasse (sel d'oseille); éther sulfurique; sulfure d'arsenic; stéarine; essence de térébenthine; alumine hydratée, en pâte; aluminat de soude; huile pour la teinture en rouge d'Andrinople; poussière de zinc; sels d'étain	100 kilog. ..	
19	Acide carbonique, liquide (8 fr.) ..	" ..	
20	Matières auxiliaires préparées, non spécialement dénommées.. ..	" ..	
21	Fécule de pomme de terre (1 fr. 20 c.) ..	" ..	
	Amidon de tout genre, dextrine—		
22	Emballés en gros, c'est-à-dire, ouverts, en tonneaux, caisses, sacs, &c., de même qu'en paquets pesant plus de 4 kilog. (2 fr.) ..	" ..	
23	Emballés en détail, c'est-à-dire, en boîtes, paquets, &c., jusqu'à 4 kilog. (4 fr.)	" ..	
ex 27	Mèches de mineurs (50 fr.)	" ..	4
ex 29	Allumettes chimiques (en bois), (40 fr.) ..	" ..	2
30	Graisse de char (cambonis)	" ..	
31	Cirage	" ..	
	Colle-fort—		
32	Brute (1 fr.)	" ..	
33	Purifiée (gélatine); colle de poisson..	" ..	
	Matières colorantes, minérales et végétales, non dénommées, ailleurs—		
35	Moulues, lavées, rapées, pulvérisées, coupées, &c.	" ..	
37	Extraits de matières colorantes—		
	Extrait de garance, et autres extraits de matières colorantes, liquides ou solides; garancine; alizarine artificielle, sèche ou en pâte; solution d'indigo	" ..	
	Couleurs préparées, sèches, en pâte ou liquides—		
	Céruse (carbonate de plomb), et blanc de zinc—		
39	Non broyés (4 fr.)	" ..	
40	Broyés (7 fr.)	" ..	

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	Droits.
			Fr. c.
41	Couleurs préparées, sèches, &c. (<i>suite</i>)— Jaune de chrome, vert de chrome, vert de Schweinfurt; bleu de montagne; bleu de Prusse; smalt, outremer	100 kilog. ..	7 00
42	Couleurs artificielles dérivées du goudron de houille (20 fr.) ..	.. ..	8 00
43	Couleurs préparées, en boîtes, bou- teilles, coquillages, petits pots, bâtons (30 fr.) .. ..	.. ..	20 00
44	Vernis et laques de tout genre, sauf les verniss à l'huile (25 fr.) .. ..	.. ..	18 00
45	Vernis à l'huile .. ..	.. ..	10 00
48	Verre à vitres— Coloré, avec dessins, dépoli (mat), (25 fr.) .. ..	.. ..	20 00
50	Verre creux et verrerie— Bouteilles de verre ordinaire, noir, brun, ou vert (4 fr.) .. ..	.. ..	3 00
51	Non polis ou polis seulement sur le fond, ou avec bouchons rodés, même munis d'une marque, d'un nom ou signe, non gravés— (a.) En verre mi-vert (8 fr.) .. ..	.. ..	6 00
	(b.) En verre ordinaire incolore (blanc) .. ..	.. ..	8 00
	Polis, gravés, de couleur (en verre coloré), mats, peints, dorés, et autre verrerie de tout genre, non dénommée plus haut, même com- binée avec d'autres matières, à l'exception des métaux précieux (30 fr.) .. ..	.. ..	20 00
53	Verre creux et verrerie des espèces in- diquées aux Nos. 50* et 51 du Tarif Suisse— (a.) Clissés en bois grossiers, en roseau ou en paille, à l'ex- ception des bombonnes à acide (12 fr.) .. ..	.. ..	8 00
	(b.) Bombonnes à acides en clisses grossières de bois, roseau ou paille (12 fr.) .. ..	.. ..	6 00
57	Verre à glace, non étamé— (a.) De moins de 18 décim. carrés (16 fr.) .. ..	.. ..	14 00
	(b.) De 18 décim. carrés et au-dessus.	.. ..	16 00
58	Verre à glace, étamé— De moins de 18 décim. carrés (16 fr.).	.. ..	14 00
60	Bois à brûler, broutille, écorce d'arbres, tourbes, briquettes de tan (mottes à brûler), écorce à tan, tan .. ..	.. ..	0 02
61	Charbon de bois (20 centimes) .. ..	.. ..	0 10

* Le No. 50 du Tarif Général Suisse est ainsi conçu: Verre creux et verrerie, de verre ordinaire, noir, brun, ou vert, isolateurs en verre (3 fr. 50 c.), 4 fr. par 100 kilog.

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	D.
62	Bois commun, de construction et de charonnage; brut ou simplement équarri à la hache, osier, brut, non écorcé, non refendu; bois de cerclage; échelas (20 centimes)	100 kilog. ..	
63	Bois scié de long ou refendu (bois sciés, bardeaux, &c.), sauf le placage— (a.) De chêne, à l'exception des merrains pour la fabrication des tonneaux (b.) Merrains pour la fabrication des tonneaux (40 centimes). Autre (1 fr.) .. .. .	.. .. .. .. .. ..
64		.. ..
65	Bois emboîté (bois de construction prêt pour le montage, c'est-à-dire, muni de chevilles, de mortaises, d'assemblages, &c.), (1 fr. 50 c.) .. .. .	.. ..
73	Matériel grossier d'emballage, de bois tendre (caisses, tonneaux, &c., pour emballage), pour objets secs; laine de bois (2 fr.) .. .. .	.. ..
ex 75	Ouvrages en bois— Ébauchés, rabotés, non assemblés; fil de bois pour allumettes; lames pour parquets ou pièces de parquet, non collés (4 fr.) Finis, de bois commun, bruts, non peints, non sculptés, non plaqués, pour autant qu'ils ne rentrent pas dans le No. 78; ouvrages de charron, de charpentier, outils en bois, &c.— (a.) Sans ferrures; panneaux ou pièces de parquet collées (8 fr.) (b.) Cuveaux pour le beurre .. .. .	.. .. .. .. .. .. .. ..
76		.. ..
77	Avec ferrures; tonnellerie et boissellerie, montées ou démontées (1 fr.) Ouvrages de menuisier et de tourneur, meubles et parties de meubles sauf la vannerie, finis; en bois ordinaire, non exotique— Bruts, non peints, non vernis, non sculptés, non plaqués (15 fr.) Peints, vernis, plaqués (25 fr.) (a.) Polis, laqués (50 fr.) (b.) Sculptés, rembourrés (50 fr.) (c.) En bois courbé, non rembourrés (50 fr.) .. .. .	.. .. .. .. .. .. .. .. .. .. .. .. .. ..
78		.. ..
79		.. ..
80		.. ..
	Observation relative au No. 80 (c).— Ces meubles peuvent aussi être pourvus de clayonnages en paille, en rotin, &c., ou de parties perforées, ou ornementées par compression (sièges, dossiers, &c.); de même, ces sièges, dossiers, &c.,	.. ..

N ^{os} Tarif suisses.	Désignation des Marchandises.	Basés.	Droits.
			Fr. c.
	lorsqu'ils sont expédiés seuls, doivent être acquittés au taux de 12 fr. On admet aussi que ces meubles peu consister, en mineure partie, en bois commun, non courbé, sans restriction toutefois quant au poids ou à la quantité, pourvu que les meubles conservent le caractère de meubles en bois courbé.		
	<i>Observation relative aux Nos. 79 et 80 (a), (b), et (c).—</i> Rentrent aussi dans ces rubriques les objets en bois commun imitant le bois d'ébénisterie.		
81	Ouvrages en bois (suite).—		
	Autres ouvrages en bois, peints, polis, vernis, ou sculptés, de même ouvrages en bois du genre mentionné sous les Nos. 76 et 77—		
	Peints, vernis, laqués (50 fr.) ..	100 kilog. ..	30 00
82	Baguettes pour cadres—		
	Brutes, passées au blanc, unies, sans ornements (15 fr.)	" ..	10 00
84	Cadres pour glaces et tableaux—		
85	Bruts, passés au blanc, unis, sans ornements (30 fr.)	" ..	25 00
	Avec ornements, peints, vernis, bronzés, dorés, sculptés (50 fr.) ..	" ..	40 00
	Vannerie—		
86	Grossière—		
87	En baguettes non écorcées, non refendues (6 fr.)	" ..	5 00
	En baguettes écorcées, refendues, de jonc ou de copeaux, passée ou non au mordant (20 fr.) ..	" ..	12 00
88	Fine, brute, passée au mordant, vernie, laquée, teinte, polie, &c.—		
89	Non combinée avec d'autres matières, sauf le bois (50 fr.) ..	" ..	30 00
90	Combinée avec d'autres matières, excepté les matières textiles (70 fr.)	" ..	60 00
	Garnie, doublée ou capitonnée de matières textiles (120 fr.) ..	" ..	100 00
93	Broserie—		
94	Grossière, combinée avec du bois ou du fer, non vernie, non polie ..	" ..	25 00
95	Fine (70 fr.)	" ..	50 00
	Produits des champs, des jardins, et des forêts, frais, ne rentrant pas dans l'une des rubriques ci-dessous ou dans la Catégorie XI, comestibles; semences de tout genre, non dénommées ailleurs	" ..	Exempt.
96	Foin, feuilles, roseaux; paille	" ..	Exempt.
97	Colza	100 kilog. ..	0 30

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	Droits Fr.
100	Cuir pour semelles; cuir pour harnais et courroies; cuir de veau, brun et ciré	100 kilog. ..	16
101	Autres sortes de cuir de tout genre, collets et flancs lissés	" ..	8
103	Ouvrages en cuir finis, excepté les ar- ticles de voyage (voir Catégorie XVII*), (120 fr.)	" ..	60
	Chaussures—		
104	Parties ébauchées de chaussures, de tout genre (45 fr.)	" ..	40
105	Chaussures en cuir, grossières (60 fr.).	" ..	40
106	(a.) Chaussures en cuir, fines (130 fr.)	" ..	60
	(b.) Chaussures en mi-soie, soie, ou velours, avec semelles en cuir (130 fr.)	" ..	100
107	Chaussures en autres étoffes avec semelles en cuir (65 fr.)	" ..	45
ex 108	Chaussures en feutre sans semelles en cuir (40 fr.)	" ..	30
109	Gants de peau (300 fr.)	" ..	150
110	Livres, imprimés; cartes géographiques et de marine; musique	" ..	1
113	(a.) Pianos et harmoniums, même dé- montés (35 fr.)	" ..	30
	(b.) Autres instruments de musique, y compris les orgues, même démontés (35 fr.)	" ..	25
114	Pièces détachées d'instruments de mu- sique; cordes de tout genre, claviers, &c.	" ..	16
115	Instruments et appareils d'astronomie, de chimie, de chirurgie, de mathé- matiques, et de physique, verres optiques non montés	" ..	16
116	Microscopes, lunettes, stéréoscopes, loupes, télescopes (80 fr.)	" ..	40
117	Appareils électriques de tout genre, et pièces détachées de ces appareils, non dénommées ailleurs	" ..	6
118	Appareils orthopédiques et articles de pansement	" ..	40
126	Horloges à poids, y compris les horloges de clocher, &c., et leurs pièces dé- tachées, finies	" ..	20
ex 127	Horloges et pendules à ressort d'après le système Américain, ainsi que les horloges à ressort de la Forêt-Noire, à caisse en bois, et leurs pièces dé- tachées, finies (50 fr.)	" ..	20
129	Machines de tout genre, à l'exception des locomotives; pièces détachées de machines, finies; cylindres et plaques pour impression, gravés; construc-		

* See No. 473, page 579.

Désignation des Marchandises.	Bases.	Droits.
		Fr. c.
tions en fer (ponts, poutres), et leurs pièces détachées, non spécialement tarifées	100 kilog. ..	4 00
Locomotives	" ..	10 00
Pièces de machines, grossièrement ébauchées, en fonte de fer, fer forgé, ou acier, pesant au moins 50 kilog. par pièce; en outre, sans distinction de poids, les parties de chaudières, grossièrement ébauchées, en fer forgé ou en acier, non rivées, et sans trous pour les rivets; matériel de chemins de fer; essieux, ressorts, roues, bandages, corps de roues, grossièrement ébauchés; tubes en fer forgé ou en acier, contournés en spirale, serpentins, &c.	" ..	0 60
Pièces de machines, grossièrement ébauchées, ne rentrant pas dans le No. 131; cylindres et plaques pour l'impression, non gravés ..	" ..	2 00
Courroies de transmission, de tout genre; cardes et garnitures de cardes.	" ..	20 00
Chariots et traîneaux pour enfants (20 fr.).	" ..	15 00
Vélocipèdes (100 fr.)	" ..	70 00
Plomb laminé, tôle, tuyaux, fils, balles, grenaille; plomb aigre, métal pour lettres, vieux caractères d'imprimerie (2 fr.)	" ..	1 50
Ouvrages en plomb, bruts, même combinés avec du bois ou du fer; caractères d'imprimerie, neufs (10 fr.) ..	" ..	8 00
Ouvrages en plomb, polis, peints, vernis, même combinés avec d'autres matières (20 fr.)	" ..	18 00
Fer brut en gueuses; acier brut, en "ingots" (blocs, barres fondues), fer en loupes, et fer ébauché au laminoir; débris et ferraille	" ..	0 10
Fer forgé, laminé, étiré--		
Rails de chemins de fer, fer en barres (fer rond, carré, plat, fer spéciaux), tôle de fer, non spécialement dénommés ci-après; tuyaux à parois ondulés, bruts	" ..	0 60
Rails de chemins de fer pesant de 15 kilog. par mètre courant; fers spéciaux dont la plus grande dimension en coupe transversale n'atteint pas 6 centim.; fer rond de moins de 7½ centim. d'épaisseur, fer à filer (forgis), ne rentrant pas dans le No. 156; fer carré et fer plat, de moins de 36 centim. carrés de coupe transversale; tôles découpées, sous réserve des mesures de contrôle nécessaires	" ..	1 70

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	Dr
156	Fer, forgé, laminé, étiré (<i>suite</i>) — Fer à filer (forgis), brut, en torches, de plus de 5 millim. et de moins de 11 millim. d'épaisseur .. Tôle de fer de moins de 3 millim. d'épaisseur (à l'exception des tôles décapées) —	100 kilog. ...	1
157	Brute	" ..	2
158	Plombée, étamée, zinguée, cuivrée, nickelée <i>Observation.</i> — Est traité comme tôle tout fer plat large de 25 centim. ou plus.	" ..	3
	Fil (fer rond étiré) —		
159	Brut	" ..	4
160	Plombé, étamé, zingué, cuivré, nickelé (5 fr.)	" ..	5
	Ouvrages en fonte de fer —		
161	Tout à fait grossiers, bruts, sans ornements	" ..	6
162	Autres (6 fr.)	" ..	7
	Ouvrages en fer forgé, fonte malléable, acier, tôle, fil —		
163	Tuyaux, étirés, lames, bruts ..	" ..	8
164	Tout à fait grossier, bruts: outils ébauchés; socs de charrue; essieux de voitures; enclumes; tuyaux rivés, soudés, galvanisés, de tout genre; crémaillères (rails à engrenages); tirants (tiges de traction); aiguilles et croise- ments; &c.	" ..	9
165	Communs, même combinés avec du bois, bruts, tournés, limés, passés à la couleur d'apprêts (minium, céruse, ou blanc de zinc), gou- dronnés, vernis, laqués, ou bronzés en tout ou en partie — (a.) Éclisses et selles pour rails, faux et faucilles, même adoucies (10 fr.) .. (b.) Autres	" ..	10
166	(a.) Adoucis, étamés, zingués (15 fr.) .. (b.) Poêles à l'intérieur adoucies ou étamées (15 fr.)	" ..	11
167	(a.) Fins (à l'exception des outils d'agriculture et d'horticulture), polis, peints, vernis, laqués, bronzés, émaillés, en tout ou en partie, même combinés avec d'autres matières (35 fr.) .. (b.) Nickelés en tout ou en partie, même combinés avec d'autres matières (35 fr.)	" ..	12
168	Coutellerie (50 fr.)	" ..	13

Néros Tarif suisses.	Désignation des Marchandises.	Bases.	Droits.
			Fr. c.
169	Armes de tout genre, excepté les bouches à feu; pièces d'armes détachées, finies (60 fr.)	100 kilog. ..	50 00
174	Cuivre, pur ou allié (laiton), martelé, laminé, étiré, en barres, tôle, tuyaux, fil		
175	Ouvrages en cuivre ou en laiton, ébauchés; tissus en fil de cuivre ou de laiton; ouvrages surmoulés en bronze; rivets, vis, chevilletes, pointes; fil entouré de caoutchouc ou de gutta-percha .. ..	.. ..	3 00
176	Câbles de tout genre pour conduites électriques, même avec armature de plomb, de fer, &c.; fil de cuivre entouré de caoutchouc ou de gutta-percha; enveloppé de fil métallique ou de filés enroulés ou tressés (15 fr.) .. ..	.. ..	10 00
177	Chaudronnerie, ouvrages en cuivre ou en laiton (50 fr.) .. ..	.. ..	10 00
178	Or et argent, en feuilles, faux; fil léonique (60 fr.) .. ..	.. ..	30 00
180	Nickel, pur ou allié (argent neuf, maillechort), laminé, étiré, en plaques, barres, tôle, fil (10 fr.) ..	.. ..	30 00
181	Ouvrages en nickel ou en alliages de nickel, ouvrages en maillechort (60 fr.) .. ..	.. ..	7 00
184	Ouvrages en zinc, bruts .. ..	.. ..	45 00
185	Ouvrages en zinc, polis, peints, vernis (40 fr.) .. ..	.. ..	15 00
189	Ouvrages en étain ou alliages d'étain (ouvrages en métal Anglais), polis, peints, vernis (50 fr.) .. ..	.. ..	30 00
193	Articles plaqués, dorés ou argentés, au feu ou par les procédés galvanoplastiques (Christoffe), (80 fr.) .. ..	.. ..	40 00
194	Orfèvrerie d'or et d'argent; bijouterie, vraie (300 fr.) .. ..	.. ..	60 00
	<i>Observation.</i> —La fausse bijouterie, c'est-à-dire, les objets de parure de tout genre qui ne consistent pas en métaux précieux, en pierres fines, en perles, ou en corail véritables, rentrent, suivant leur conditionnement, dans les Nos. 470 ou 471.		
198	Pierres brutes (moëllons); pierres à bâtir dégrossies (piquées) ou grossièrement taillées; pavés, matériaux pour routes, graviers; sable en chargements complets; asbeste (amiante), brute; pierre à chaux et pierre à plâtre, brutes, non calcinées; argile, terre glaise; terre réfractaire; terre à porcelaine (kaolin), et autres	.. ..	200 00

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bascs.
	terres et matières minérales brutes non dénommées ci-après, même cal- cinées, laxées, ou moulues .. ..	..
206	Ouvrages en émeri— (a.) Toile d'émeri (b.) Papier d'émeri, papier de verre, papier à dérouiller (20 fr.) ..	100 kilog. .. " ..
207	Autres	" ..
208	Chaux grasse et plâtre, calcinés ou moulus (40 centimes)	" ..
209	Planches en roseaux (plâtre coulé sur des roseaux dans un moule en forme de planche), (4 fr.)	" ..
212	Ciment de Portland (80 centimes) ..	" ..
	Ouvrages en ciment (sauf les reproduc- tions de modelages, voir No. 122* du Tarif Suisse), tels que, pierres à bâtir, dalles, briques, tuyaux, &c.—	
213	Bruts, sans ornements	" ..
214	Avec ornements, colorés, façonnés, égrisés (frottés), (3 fr.)	" ..
221	Feutre asphalté, carton asphalté (pour toitures), tuyaux d'asphalte, compo- sition bitumineuse pour toitures (2 fr.)	" ..
224	Beurre frais (8 fr.)	" ..
225	Beurre fondu, salé; beurre de mar- garine; beurre artificiel (15 fr.) ..	" ..
228	Oufs (4 fr.)	" ..
230	(a.) Vinaigre de table, vinaigre double, et esprit de vinaigre, jusqu'à 12 pour cent d'acide acétique— En fûts (40 fr.)	" ..
	(b.) Acide acétique de plus de 12 pour cent; vinaigre de tout genre en bouteilles ou cruchon d'un poids brut de 50 kilog. ou moins (40 fr.)	" ..
ex 231	Fruits confits au sucre ou candis, même en bouteilles, verres, boîtes, &c.; con- fisceries et pâtisseries (50 fr.) ..	" ..
235	Viande de boucherie fraîche (6 fr.) ..	" ..
236	Viande salée, fumée, conserves de viandes; lard séché (8 fr.)	" ..
237	Volaille vivante	" ..
238	(a.) Volaille tuée (b.) Gibier (12 fr.)	" .. " ..
239	Charcuterie (25 fr.)	" ..
241	Fruits, baies comestibles, frais .. ..	..
ex 242	Raisins de table, frais (5 fr.) .. ..	..

* Le No. 122 du Tarif Général Suisse est ainsi conçu: Empreintes
moulés en plâtre, soufre, carton-pierre, papier mâché, ciment, &c., po-
qu'ils ne rentrent pas dans le No. 471, 7 fr. par 100 kilog.

Désignation des Marchandises.	Bases.	Droits.
		Fr. c.
Fruits, secs ou tapés, avec noyaux; pommes, poires, cerises, pruneaux, &c.; fruits et baies foulés, de même que les herbes et racines pour la distillation (5 fr.)	100 kilog. ..	2 50
Légumes, frais —		
Pommes de terre	Exemptes.
Pour route et autres légumes au sel (5 fr.)	4 00
Céréales, maïs, légumes à cosse —	..	
Ni perlés, ni égrugés	0 30
En grains perlés, égrugés, mondés ou concassés, gruaux, semoule; farine de céréales, de maïs, ou de légumes à cosse (2 fr. 50 c.)	2 00
Publon	4 00
Excédants du café, de tout genre, à l'état sec (10 fr.)	6 00
Fromages à pâte molle (10 fr.)	4 00
Fromages à pâte dure (6 fr.)	4 00
Malt (1 fr. 50 c.)	1 00
Opes condensées, sous forme solide ou liquide : juliennes, sagou, tapioca, farine, &c., et articles semblables pour soupes; en paquets, &c., pour la vente au détail	20 00
Ère et extrait de malt —		
En fûts (5 fr.)	4 00
En nature, en fûts (6 fr.)	3 50
Ère pour la fabrication du papier	1 25
(a.) Papier d'emballage, non satiné (y compris toutefois celui qui sort lisse de la machine), d'une seule couleur; papier ciré et papier goudronné (10 fr.)	4 00
(b.) Papier à imprimer, papier à écrire, et papier à lettre, réglés ou non, papier d'emballage, satiné, papier à étancher, papier buvard, et papier à filtrer, papier parchemin, papier de soie, papier à dessiner, papier à calquer, d'une seule couleur (10 fr.)	8 00
(a.) Papier de tout genre de plus d'une couleur, papier doré et argenté, papier à musique, papiers peints (pour tenture), (30 fr.)	16 00
(b.) Papier à lettres et enveloppes (même avec ornements), en cartons simples ou ornés, dans le cas où le poids de chacune des parties soumises à un taux inférieur n'est pas spécialement déclaré; en outre, tous les papiers non spécialement dénommés (30 fr.)	20 00

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.	
304 (suite).	(c.) Étiquettes, formulaires, affiches, prospectus, chemises pour dossiers, &c., imprimées ou lithographiées; enveloppes de tout genre (30 fr.)	100 kilog. ..	
305	Carton ordinaire gris, carton de pâte de bois ou de paille; carton-cuir (5 fr.) .. ..	..	..
307	Ouvrages de relieur et cartonnages (60 fr.) .. ..	..	..
308	Lingerie en papier (60 fr.) .. ..	..	..
311	Ouate de coton .. ..	..	..
•	Coton—		
	Filés—		
312	A un bout, écrus .. ..	..	..
313	Retors, gazés ou non .. ..	..	..
314	Blanchis; teints; simples ou doublés .. ..	..	..
315	Sur bobines, en pelotes ou échevettes (accommodés pour la vente au détail), de même que les filés en échevaux, teints, retors, à trois ou plusieurs bouts (45 fr.) .. ..	..	..
	Tissus—		
	Unis, croisés, écrus—		
317	Pesant 6 kilog. ou plus par 100 mètres carrés .. ..	..	..
	Pesant moins du 6 kilog. par 100 mètres carrés—		
318	Ayant moins de 20 fils par carré de 5 millim. ..	..	..
320	Blanchis, de fils teints, teints, imprimés—	..	..
	(a.) De plus de 7 kilog. par 100 mètres carrés (45 fr.) .. ..	..	..
	(b.) De 7 kilog. ou moins par 100 mètres carrés .. ..	..	..
	(c.) Toile pour relieurs (45 fr.).	..	..
	Veloutés, façonnés, piqués, basins, damassés, brillantés—		
321	Écrus (c'est-à-dire, de filés écrus) .. ..	..	..
322	Blanchis, de fils teints, teints, imprimés; tulle broché (60 fr.) .. ..	..	..
323	Feutrés .. ..	..	..
	Couvertures (tapis de lit, de table, &c.)—	..	..
	Sans travail à l'aiguille ni passementerie —		
325	Blanchies, de fils teints, teintes, imprimées ..	..	..
326	Avec passementerie ou avec ourlet cousu .. ..	..	..
327	Châles, écharpes, &c. (70 fr.) ..	..	..
328	Rubanerie et passementerie (70 fr.) ..	..	..
329	Broderies et dentelles (150 fr.) ..	..	..

Numéros Tarif Suisse.	Désignation des Marchandises.	Bases.	Droits. Fr. c.
	Coton (suite)—		
330	Toile cirée commune et toile huilée		
	pour emballage (10 fr.)	100 kilog. ..	8 00
332	Tapis en liège (linoleum)	„ ..	20 00
	Lin, chanvre, jute, ramie, &c.—		
339	Toile d'emballage—		
	Ayant moins de 9 fils par carré de		
	5 millim. (2 fr. 50 c.)	„ ..	2 00
340	Écrus ou crévés—		
	Ayant de 9 à 13 fils par carré de		
	5 millim. (15 fr.)	„ ..	12 00
341	Ayant de 14 à 22 fils par carré		
	de 5 millim. (30 fr.)	„ ..	25 00
342	Ayant plus de 22 fils par carré		
	de 5 millim., de même que		
	tous les tissus blanchis, de		
	fils teints, teints, imprimés,		
	excepté le tulle (60 fr.)	„ ..	42 00
	Rubannerie et passementerie (60 fr.) ..	„ ..	50 00
	Ouvrages de cordier—		
	Cordes, câbles (12 fr.)	„ ..	8 00
	Sangles, tuyaux, sacs	„ ..	20 00
	Nattes, tapis de pieds et de table, de		
	jute, de chanvre de Manille, et autres		
	végétaux filamenteux analogues,		
	même encadrés—		
	Grossiers (non tissés)—		
	Écrus	„ ..	12 00
	Teints, imprimés, &c... ..	„ ..	20 00
	Soie—		
	Tissus, écrus, blancs, teints, im-		
	primés, apprêtés—		
	De mi-soie (100 fr.)	„ ..	40 00
	Châles, écharpes, &c., de mi-soie		
	(150 fr.)	„ ..	100 00
	Rubannerie et passementerie de mi-		
	soie (100 fr.)	„ ..	60 00
	Laine—		
	Laine artificielle	„ ..	0 30
	Moulue, teinte, peignée, trait	„ ..	0 60
	Filés—		
	Écrus—		
	A un ou deux bouts; ouate		
	(7 fr.)	„ ..	6 00
	Retors à trois ou plusieurs bouts.	„ ..	8 00
	Blanchis, teints—		
	A un ou deux bouts (15 fr.)	„ ..	12 00
	Retors à trois ou plusieurs bouts		
	(20 fr.)	„ ..	18 00
	Sur bobines, en pelotes ou éche-		
	vettes (accommodés pour la vente		
	au détail), (40 fr.)	„ ..	30 00
	Tissus—		
	Écrus—		
	De filés de laine cardée (30 fr.) ..	„ ..	25 00
	De filés de laine peignée (50 fr.) ..	„ ..	40 00

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.
374-375	Laine (<i>suite</i>)— Blanchis, teints, imprimés (de laine cardée ou peignée)— (a.) Pesant plus de 300 grammes par mètre carré (de laine cardée, 100 fr.; de laine peignée, 120 fr.) .. (b.) Pesant 300 grammes ou moins par mètre carré (de laine cardée, 100 fr.; de laine peignée, 120 fr.) ..	100 kilog. ..
377	Tissus feutrés Couvertures (de lit, tapis de table, &c.)—	.. ..
378	Sans travail à l'aiguille (40 fr.)..	.. ..
379	Avec travail à l'aiguille (70 fr.)..	.. ..
380	Tapis de pieds— Grossiers, sans franges, ni travail à l'aiguille (40 fr.) .. ..	.. ..
381	Autres (70 fr.) .. ..	.. ..
382	Châles, écharpes, &c. (125 fr.) ..	.. ..
383	Rubannerie et passementerie (125 fr.)..	.. ..
384	Broderies et dentelles (150 fr.) ..	.. ..
385	Étoffes en feutre .. ..	.. ..
386	Ouvrages en feutre, sans travail à l'aiguille— Écrus (30 fr.) .. ..	.. ..
387	Blanchis, teints, imprimés (50 fr.)..	.. ..
391	Caoutchouc et gutta-percha, en tuyaux, tubes, même combinés avec d'autres matières (10 fr.) (a.) Caoutchouc et gutta-percha, appliqués sur tissus ou autres matières, et autres ouvrages non dénommés en caout- chouc ou gutta - percha (40 fr.) (b.) Tissus élastiques de tout genre en caoutchouc, mélangés de coton, laine, soie, &c. ..	.. ..
396	Paille assortie, rotin, liber, jonc, roseau, paille de riz, racine de riz, sparte (stipe, alfa), fibre de coco, feuille de palmier, varech, crin végétal, &c.— Ouvrages fins ainsi que ceux dans la confection desquels il entre du crin, des fils, des tissus (80 fr.) .. ..	.. ..
397	Vêtements, lingerie, et autres objets confectionnés, non spécialement dé- nommés, découpés ou finis— De coton (120 fr.) .. ..	.. ..
398	De lin, jute, ramie, &c. (120 fr.) ..	.. ..
399	De soie ou mi-soie (300 fr.) ..	.. ..

Désignation des Marchandises.	Bases.	Droits.
		Fr. c.
Vêtements, lingerie, &c. (<i>suite</i>)— De laine ou mi-laine (180 fr) ..	100 kilog. ..	105 00
<i>Observation relative aux Nos. 397 à 400.</i> — Les articles confectionnés avec des étoffes caoutchoutées suivent le régime de l'étoffe dont ils sont faits.		
Bonneterie, avec ou sans travail à l'aiguille— De coton (80 fr.)	60 00
De laine ou mi-laine (120 fr.)	75 00
Fourrures, finies ou découpées, et ajustées bandes de fourrure, &c., pour garniture; objets confectionnés en étoffe de tout genre, garnis en fourrures ou en plumes (250 fr.)	150 00
Chapeaux de feutre, non garnis (100 fr.)	75 00
Chapeaux de feutre, garnis (200 fr.)	120 00
Parapluies et parasols— De mi-soie (100 fr.)	60 00
Montures et cannes de parapluies, avec ou sans ressorts (10 fr.)	8 00
Bâches pour voitures et wagons, confectionnées— En toile à voile, imprégnées ou non (25 fr.)	20 00
En étoffes caoutchoutées (50 fr.)	35 00
Chevaux	3 00
Poulains	1 00
Boeufs (30 fr.)	15 00
Vaches et génisses, avec dents de remplacement (25 fr.)	18 00
Jeunes bêtes, sans dents de remplacement, pour autant qu'elles ne rentrent pas dans le No. 424* du Tarif des Douanes Fédérales (20 fr.)	12 00
Veaux pesant jusqu'à 60 kilog. inclusivement (6 fr.)	5 00
Porcs pesant plus de 60 kilog. (8 fr.)	6 00
Moutons (2 fr.)	0 50
Ruches d'abeilles, habitées	La pièce ..	0 20
Soies de porc, assorties et en bottes ..	100 kilog. ..	2 00
Crin et poils de buffle— Nettoyés, filés, préparés (12 fr.)	10 00
Feutres, tapis de pieds, couvertures de cheval faits de poils d'animaux rentrant dans le No. 434† du Tarif des Douanes Fédérales ou de matières analogues de qualité inférieure	10 00
Plumes à lit (10 fr.)	7 00
Édredon, duvet (50 fr.)	7 00
Vessies, boyaux, présure	0 60

No. 424 du Tarif Général Suisse est ainsi conçu : Veaux gras, pesant 100 kilog., 10 fr. la pièce.

No. 434: Poils d'animaux non dénommés ailleurs (c'est-à-dire, autres que crin, et poils de buffle, soies de porc).

L. LXXXIII.]

2 P

Numéros du Tarif Suisse.	Désignation des Marchandises.	Bases.
445	Cire, y compris le cérésine	100 kilog. ..
447	Cornes— Brutes, et autres matières animales brutes non dénommées	" "
448	Préparées ou débitées en feuillets ou plaques de toute dimension; plaques dos (1 fr.)	" "
455	Ouvrages en argile— Tuiles brutes (60 centimes)	" "
456	(a.) Briques réfractaires (50 cen- times)	" "
457	(b.) Tuyaux bruts, sans manchon . Briques, plaques, carreaux, bruts (50 centimes)	" "
458	Tuiles, briques, fumées, ardoisées, goudronnées, vernissées (2 fr.) ..	" "
459	Tuyaux, sans manchons, carreaux, plaques de tout genre, d'une seule couleur, unis, fumés, ardoisés, gou- dronnés, vernissés; ornements architectoniques; ouvrages en terra- cotta pour l'architecture et les jardins (3 fr.)	" "
460	Carreaux, plaques de tout genre, de plus d'une couleur, peints, im- primés, avec ornement en creux ou en relief (8 fr.)	" "
ex 461	Creusets, moufles, cazettes (2 fr. 50 c.)	" "
464	Ouvrages en grès— Plaques, carreaux— Ardoisés, polis, vernissés, d'une seule couleur, unis ou striés, de même que ceux formés de plus d'une masse et de plus d'une couleur (3 fr.)	" "
465	Peints, imprimés, avec ornements en creux ou en relief (8 fr.) ..	" "
467	Parties d'installation de lieux d'ai- sance, de porcelaine et de grès fin..	" "
468	Poteries— Communes, à cassure grise ou rouge- âtre, vernissées ou non; poterie commune en grès (cruches, cruchons, &c.); isolateurs en por- celaine (4 fr.)	" "
469	A cassure blanche ou jaunâtre; grès fin; porcelaine de tout genre, parian, biscuit; de plus, toutes les poteries ne rentrant pas dans une des rubriques précédentes (25 fr.)..	" "
470	Quincaillerie fine et articles de fantaisie de tout genre, non spécialement dé- nommés (200 fr.)	" "
	Reuvent dans cette rubrique les objets de parure et de toilette, les bibelots, ainsi que d'autres marchandises en agate, albâtre, écume, cristal de roche, ambre,	

N ^{os} Tarif Suisse.	Désignation des Marchandises.	Bases.	Droits.
			Fr. c.
	ivoire, jais, lave, écaille, nacre (à l'exception des boutons), vrais et imités, sauf les imita- tions en verre, argile de tout genre, caoutchouc ou corne, à l'exclusion, pour cette dernière toutefois, des imitations de jais; en outre, sachets à parfumer, étuis, nécessaires, bonbonnières, &c., garnis de soie, de dentelles, de fleurs artificielles, ou autres objets analogues.		
471	Quincaillerie commune et mercerie de toute genre, non spécialement dé- nommées— (a.) Objets de parure ne rentrant pas par leur conditionne- ment dans les Nos. 194 ou 470; ainsi, par exemple, ceux de bois, de caoutchouc durci, d'os ordinaire, de celluloïd, de verre, et de strass (vitrifications, pierres fausses), ou de métaux or- dinares, même dorés ou argentés	100 kilog. ..	50 00
	(b.) Autre quincaillerie et mercerie commune (50 fr.) .. ..	.. ..	30 00
472	Lampes de toute genre, finies, de même que les parties de lampes, finies, à l'exception des tubes en verre, abat- jour en verre, globes en verre, et pieds en verre pour autant qu'ils ne sont pas montés, c'est-à-dire, munis de parties de laiton, &c. (30 fr.) ..	.. ..	25 00
473	Articles de voyage de tout genre, en cuir (70 fr.) .. ..	.. ..	50 00
474	(a.) Crayons noirs et de couleur, avec gaine en bois, ardoises encadrées et crayons d'ar- doise (30 fr.) .. ..	.. ..	20 00
	(b.) Fourniture de bureaux, four- nitures pour l'écriture, le dessin, et le peinture, non dénommés ailleurs; cire à cacheter (30 fr.) .. ..	.. ..	25 00
475	Jouets de tout genre (40 fr.) .. ..	.. ..	20 00

ANNEXE (C).

Dispositions sur le Trafic de Frontière.

§ 1. ARTS de faciliter l'exploitation des biens-fonds et des forêts situés dans
le voisinage de la frontière, sont affranchis de tous droits d'entrée et de sortie:—
Les céréales en gerbes et en épis;

Les produits bruts des forêts, bois et charbon ;
 Les semences ;
 Les perches ;
 Les échalas ;
 Les animaux et instruments de toute espèce ;

Qui servent à l'exploitation d'immeubles situés dans un rayon de 1 de chaque côté de la frontière, sous réserve des mesures de contrôle exister dans les deux pays pour prévenir les fraudes.

Sont en outre affranchis de tous droits d'entrée et de sortie tous les de l'agriculture et de l'élevage du bétail provenant de propriétés coupées ligne douanière qui sépare les territoires des deux États Contractants ces produits, provenant des parties de ces propriétés séparées des b d'habitation ou d'exploitation rurale, sont dirigés sur ces bâtiments.

§ 2. Demeurent affranchis des droits d'entrée et de sortie :—

(1.) Le bétail conduit temporairement, pour un travail, d'un douanier dans l'autre et ramené du second dans le premier, une fois terminé ; de même, les machines et instruments agricoles importés des territoires dans l'autre pour un usage temporaire et réimportés ensuite premier.

(2.) Le bois, tan (écorce), blé, graines oléagineuses, chanvre, et objets pareils provenant d'exploitations rurales et amenés, dans le territoire des frontières, d'un territoire dans l'autre, pour être coupés, moulus, broyés, &c., puis, une fois ces opérations terminées, réimportés le premier.

(3.) Les marchandises ou objets qui, dans le petit trafic ordinaire, sont amenés d'un territoire douanier dans l'autre, soit pour être perfectionnés, notamment pour l'impression, le blanchissage, la teinture, le filage, le tissage, &c., soit pour être ouverts ou réparés par les artisans réimportés dans le premier territoire, perfectionnés, ouverts, ou réparés.

(4.) Les produits fabriqués par les artisans eux-mêmes et amenés par-ci sur les marchés voisins de l'autre territoire douanier et revenant non sont exceptés les objets de consommation alimentaire.

§ 3. Pour prévenir les abus dans les cas prévus au paragraphe précède, les mesures de contrôle nécessaires seront appliquées de part et d'autre. Cependant, il est entendu qu'elles se borneront au minimum de ce qui est le but proposé. En tout cas, on se bornera à exiger—

(1.) Que, à l'entrée ou à la sortie, les objets en question soient déclarés au bureau frontière, qui doit prendre note de leur nature et de leur quantité possible, les marquer pour en constater l'identité, et qu'ils soient, à la réexportation, représentés au même bureau frontière.

(2.) Que la réexportation ou la réimportation ait lieu dans un délai déterminé au même bureau frontière.

Les bureaux frontières sont autorisés à exiger un cautionnement ; ce cautionnement ne doit toutefois pas dépasser le montant du droit simple. Si cela est nécessaire, il sera conclu un arrangement sur les dispositions de détail relatives à l'application de ces mesures de contrôle.

ANNEXE (D).

Carte de Légitimation Industrielle pour Voyageurs de Commerce.

l'année 18 .

No. de la Carte .

(Armoirie.)

Valable en Suisse, dans l'Empire Allemand, et dans le Luxembourg.

PORTEUR.

[Nom et prénoms.]

[Lieu], le , 18 .

(Autorité qui délivre la carte.)

(Signature.)

est certifié par la présente que le porteur de cette carte
 est un ou une [nature de la fabrique ou de commerce], à
 l'usage de commerce au service de la maison
 raison sociale

, qui y possède un ou une [nature de la fabrique
 ou commerce].

Le porteur de cette carte se proposant de recueillir des commandes et de
 faire des achats de marchandises pour la dite maison et pour les maisons ci-
 désignées :—

à
 à

certifié que
 la maison est, ou les dites maisons sont, astreinte[s] à payer dans ce pays les
 taxes gales pour l'exercice
 la maison est, ou les dites maisons sont, autorisée[s] à exercer un com-
 merce ou d'une industrie
 dans le pays.

Désignation de la Personne du Porteur.

Age : _____

Taille : _____

Cheveux : _____

Signes particuliers : _____

(Signature.)

marque.—Des deux lignes marquées sur le formulaire, on ne doit remplir
 la ligne supérieure ou la ligne inférieure, selon les circonstances relatives
 au cas particulier. Le formulaire devra donner pour cela un espace

PROTOCOLE FINAL.

LES Soussignés se sont réunis aujourd'hui pour procéder à la signature du Traité de Commerce et de Douane convenu entre eux. A cette occasion ils ont adopté, pour être consignés dans le présent Protocole, les éclaircissements, arrangements, et remarques prélatives dont suit la teneur.

I. *Add. aux Articles I et III du Traité.*—Les dispositions tenues aux troisième et quatrième alinéas de l'Article I et le deuxième alinéa de l'Article III n'excluent pas le droit d'appliquer des prohibitions d'importation, de transit, et d'exportation :—

- (a.) En ce qui concerne les monopoles d'État actuellement existants ou qui pourraient être établis plus tard ;
- (b.) Pour des raisons de police sanitaire ;
- (c.) Pour le matériel et les provisions de guerre, dans des circonstances exceptionnelles.

Sur la demande du Gouvernement Impérial Allemand, le Gouvernement Fédéral se déclare disposé à ne pas exiger les droits conventionnels sur les céréales Allemands pour le blé, ainsi que pour les vins qui proviennent de pays n'étant pas, avec l'Allemagne, sur pied de la nation la plus favorisée, et qui entrent en Allemagne par le commerce libre de la nation la plus favorisée.

II. *Add. à l'Article II du Traité.*—A. Sont affranchis, de tout droit d'entrée et de sortie, lorsqu'ils sont amenés du territoire de l'une des Parties Contractantes sur le territoire de l'autre :—

- (1.) Les objets d'arts importés pour des expositions, des collections artistiques publiques, ou des collections publiques.
- (2.) Les cartes d'échantillons et les échantillons en coupures, morceaux impropres à un autre usage.
- (3.) Les vêtements et le linge portés et non destinés à la vente, les ustensiles de ménage et effets ayant servi, l'outillage de fermiers et d'ouvriers ayant servi, lorsqu'ils sont importés par les employés pour leur propre usage. L'exemption des droits d'entrée et de sortie s'applique également aux machines dont toutes les parties ont été usagées et que des personnes, maisons, &c., déjà établies exportent et importent de leur établissement principal ou d'une filiale situé sur l'un des territoires, pour être utilisées par elle-même ou leur filiale ou leur établissement principal situé sur l'autre territoire. Toutefois, la franchise des droits pour de telles machines peut être accordée que par l'autorité supérieure.

En outre et avec autorisation spéciale, les vêtements, lin, effets neufs, formant le trousseau de ressortissants de l'un des Parties Contractantes, qui, à l'occasion de leur mariage, s'établissent sur le territoire de l'autre.

- (4.) Les ustensiles de ménage et effets ayant servi, lorsqu'ils

qu'il proviennent de succession et quand une permission a été obtenue.

5.) Les vêtements, le linge, et les autres effets de voyage que les voyageurs, des rouliers, et des bateliers ont avec eux pour leur usage; l'outillage d'ouvriers ou artisans ambulants, et les ustensiles et instruments que des artistes en voyage portent avec eux pour l'exercice de leur vocation, ainsi que d'autres objets de même nature qui précèdent ou suivent ces personnes; les provisions alimentaires à consommer pendant le voyage.

6.) Les voitures, y compris les véhicules de chemins de fer, et les bateaux qui ne passent la frontière que pour transporter des personnes et des marchandises, et qui n'entrent que dans le territoire; les bateaux, y compris l'outillage qui leur est nécessaire pour la navigation; les véhicules de chemins de fer qui reviennent au pays et appartiennent aux Administrations de Chemin de Fer du pays, ainsi que les véhicules appartenant à des Compagnies étrangères, mais qui sont déjà classés dans le service des trains.

7.) Sur permission spéciale, les voitures de voyageurs, lors même qu'au moment de l'entrée, elles ne servent pas au transport de voyageurs, s'il est prouvé qu'elles leur ont déjà servi précédemment et doivent continuer à leur servir.

8.) Les chevaux et autres animaux, lorsqu'il résulte avec certitude, de l'usage que l'on en fait lors de l'importation, qu'ils font partie de l'équipage d'une voiture de voyageur ou de roulage, ou qu'ils servent à transporter des marchandises ou des voyageurs.

2. *Add. à l'Annexe (A).—Droits à l'Entrée sur le territoire du Royaume d'Allemagne.*—1. *Add. au No. 15.—Observation relative à (b).*

2.—La franchise de droits à l'importation comprend les machines pour navires, y compris les roues à palettes ou hélices, lors mêmes qu'elles seraient importées à l'état démonté et d'une manière successive, à condition que ces objets puissent, à leur entrée, être avec certitude reconnus comme parties de machines pour navires.

3. *Add. au No. 15 (d).*—Les bateaux pour la navigation sur les rivières seront traités sur le même pied que les bateaux de rivière.

4. *Add. à l'Annexe (B).—Droits à l'Entrée en Suisse.*—1. *Add. au No. 18.*—L'acide pyroligneux à odeur empyreumatique, incolore, pur (non chimiquement pur), est tarifé d'après le No. 18 (b) au taux de 1 fr. les 100 kilogrammes.

2. *Add. au No. 22.*—L'amidon en paquets pesant plus de 4 kilogrammes, et avec étiquette indiquant la maison de commerce et la dénomination de la marchandise, mais sans donner l'explication de l'usage, est admis au taux de 1 fr. 25 c. les 100 kilogrammes.

3. *Add. aux Nos. 63 et 64.*—Seront traitées comme feuilles pour papier et, par conséquent, tarifées d'après le No. 69 ou 70 du Tarif Suisse, les planches taillées ou sciées en feuilles dont quatre

superposées l'une sur l'autre présentent une épaisseur de 1 centim. au plus.

4. *Add. au No. 230 (a) et (b).*—L'importation du vin de table et de l'acide acétique ne pourra s'opérer que par les principales Suisses de Buchs, Romanshorn, Schaffhouse-Groningue (Gare Badoise et Gare Centrale).

5. *Add. au No. 258.*—Le houblon en cylindres (tambours) métalliques, hermétiquement fermés, peut être introduit sous la désignation douanière au taux de 4 fr. les 100 kilog., pourvu que les conditions suivantes soient remplies:—

(1.) Que les envois soient accompagnés d'une déclaration de l'autorité de Douane ou de Finance qui atteste que le contenu des cylindres ne consiste effectivement qu'en houblon;

(2.) Que les cylindres soient plombés de la part de l'autorité qui délivre la dite déclaration ou que, si l'envoi se fait par paquets, par exemple, par un wagon complet de wagons de chemin de fer, les wagons soient munis de la fermeture de la douane.

Si ces conditions ne sont pas remplies, le bureau de douane pourra procéder à l'ouverture d'un des cylindres, choisi par le douanier, dans chaque envoi importé sous cette désignation, afin d'en vérifier le contenu. Lorsque la revision est refusée par la partie importatrice, la taxation aura lieu au droit le plus élevé.

Lors de l'importation de houblon en cylindres munis d'une ouverture latérale d'une ouverture de 6 à 7 centim., la revision ne doit pas se faire en ouvrant le cylindre par le haut, c'est-à-dire, par en haut du couvercle, mais au moyen de la dite ouverture qui peut être facilement refermée par une capsule en laiton.

Le numéro du cylindre du houblon ouvert pour la revision douanière sera annoté dans la lettre de voiture.

La refermeture du cylindre se fera avec le plus grand soin possible.

6. *Add. aux Nos. 283 et 284.* La différence en plus entre le droit dont est passible le "sucre, coupé ou en poudre" (No. 283) et celui dont est frappé le "sucre en pains, plaques, ou en poudre" (No. 284), ne dépassera pas 1 fr. 50 c. les 100 kilog.

7. *Add. au No. 290.*—Une réduction de 6 pour cent est accordée pour le vin nouveau, c'est-à-dire, que les 100 kilog. de vin nouveau ne seront comptés que pour 94 kilog., lorsque l'importation a lieu avant le 1^{er} Décembre de l'année de la vendange et que les tonneaux non bondonnés ou munis d'une bonde à air.

Les vins naturels qui n'ont subi qu'une addition légère d'alcool et dont la force alcoolique totale ne dépasse pas 13 d. par volume, n'acquitteront que le droit de douane de 3 fr. 50 c. le No. 290 (en fûts) ou celui de 25 fr. d'après le No. 291 (en bouteilles) du Tarif Suisse. Les vins naturels tirant

grés alcoolo-métriques payeront, en sus du droit de douane fr. 50 c. ou de 25 fr., pour chaque degré excédant la limite que susmentionnée, la taxe de monopole grevant l'alcool.

Add. aux Nos. 378 et 379.—Les couvertures qui ne présentent qu'un travail à l'aiguille peu important et exclusivement é à la préservation des bords seront tarifées comme couvertures sans travail à l'aiguille et n'acquitteront que le droit inscrit n. 378.

I. Add. à l'Article III du Traité.—La disposition de l'Article III ne doit porter aucun préjudice au droit de chacune des Parties Contractantes de prévenir la possibilité d'abus en adoptant des mesures de précaution (plombage, acquis de contrôle ou d'inspection).

V. Add. à l'Article III du Traité.—Le petit trafic de frontière comprend les transactions amenées par le voisinage des localités frontalières qui ne sont pas situées à plus de 15 kilom. de la frontière.

À où les territoires des deux Parties Contractantes sont séparés par des cours d'eaux considérés, de part et d'autre, comme pays étrangers, la zone indiquée plus haut et celle mentionnée dans l'Annexe (C), § 1, doit, des deux côtés, être comptée du bord de ces cours d'eaux vers l'intérieur du pays, de telle sorte que la zone occupée par ces cours d'eaux n'entre pas en ligne de compte.

Add. aux Articles V et VI du Traité.—A. La faveur d'après laquelle les marchandises soumises aux droits de douane en sont exemptées pour l'entrée et la sortie, lorsqu'elles sont importées en vente incertaine ou comme échantillons (Article V, 1), peut être subordonnée aux conditions spéciales ci-après :—

1.) A la sortie d'un pays, de même qu'à l'entrée dans le même pays, les droits, soit de sortie, soit d'entrée, sur les marchandises ou échantillons doivent être ou payés au bureau d'expédition au moment d'un versement en espèces ou suffisamment garantis.

2.) Pour que l'on puisse constater leur identité, les marchandises ou les échantillons seront, autant que possible, désignés par une marque au timbre humide, ou par un plomb ou un cachet scellé à une ficelle.

3.) Le certificat d'expédition, au sujet duquel chacune des Parties Contractantes prendra les mesures de détail nécessaires, devra contenir :

a.) La désignation des marchandises ou échantillons destinés à l'exportation ou à l'importation, avec l'indication de la nature de la marchandise et des marques particulières propres à permettre la constatation de leur identité;

b.) L'indication du montant des droits de sortie ou d'entrée

auxquels ces marchandises ou échantillons sont soumis, mention indiquant si ces droits ont été payés ou garantis ;

(c.) L'indication de la désignation douanière de la marchandise ;

(d.) L'indication du délai à l'expiration duquel le montant des droits sera pris sur la somme déposée ou exigé sur le cautionnement, en tant qu'il n'a pas été prouvé que les marchandises ou échantillons ont été réimportés ou, dans le cas inverse, réexportés dans le pays voisin, ou qu'ils ont été mis en entrepôt. Ce délai ne pourra excéder le terme d'une année.

(4.) La rentrée ou la sortie de ces marchandises ou échantillons peut s'effectuer par un autre bureau que celui par lequel ils ont été sortis ou entrés.

(5.) Si, avant l'expiration du délai déterminé (3 d), les marchandises ou échantillons sont présentés à un bureau compétent afin que celui-ci remplisse à leur égard les formalités nécessaires pour leur réimportation, leur réexportation, ou leur admission en entrepôt, ce bureau doit avant tout s'assurer que ces objets sont bien ceux qui ont été présentés pour l'expédition à la sortie de l'entrepôt. S'il n'y a pas de doute à ce sujet, le bureau compétent pour la réimportation, la réexportation, ou le dépôt, et il rembourse les droits déposés ou prend les mesures nécessaires pour l'annulation du cautionnement.

B. On se réserve de s'entendre sur les mesures de contrebande qui seront appliquées, de part et d'autre, contre les abus auxquels peuvent donner lieu, dans les autres cas, les dispositions des Articles V et VI. Ces mesures seront réduites au plus strict nécessaire sur les points essentiels, maintenues dans les limites prévues par les dispositions de l'Annexe (C) relativement au mode de perception à l'égard du trafic local (§ 3) ; on observera toutefois, à ce sujet, les dispositions suivantes :—

(1.) L'expédition des objets désignés, pour lesquels la franchise de droits est réclamée en vertu des Articles V et VI, peut s'effectuer par l'intermédiaire des offices de douane de l'intérieur.

(2.) Les différences de poids provenant de l'amélioration des marchandises par le travail ou le perfectionnement seront compensées avec toute la tolérance possible, et les petites différences ne donneront pas lieu à une augmentation de taxe.

C. Sont envisagés comme fils et tissus de production intérieure ceux qui ont été fabriqués dans le pays même d'où ils sont expédiés ; en outre, les filés et tissus introduits de l'étranger à l'état brut et admis à la libre circulation par la Douane, qui n'ont été blanchis, teints, imprimés, flambés, apprêtés ou brochés, garnis de dessins dans le pays d'où ils sont expédiés pour être introduits dans le pays de perfectionnement, dans le but d'y subir un nouveau travail.

pour établir que les marchandises sont de production indigène, devra les pourvoir d'un timbre de la fabrique ou les accompagner d'un certificat du producteur.

9. Il sera réciproquement ajouté foi aux marques (timbres, sceaux, plombs, &c.), apposés officiellement pour garantir l'identité des objets exportés et réimportés ou importés et réexportés, et cela dans le sens que les marques apposées par l'autorité douanière de l'un des territoires serviront aussi à constater l'identité des objets de l'autre territoire; toutefois, les autorités douanières de l'un ou de l'autre des deux pays ont le droit d'apposer encore d'autres marques particulières.

10. Pour tous les cas mentionnés à l'Article V, l'expédition en franchise de droits sera opérée, lorsque les conditions existeront pour cela, dans le territoire douanier Allemand, par tous les bureaux principaux de douane et les bureaux secondaires de première classe, ainsi que par d'autres bureaux spécialement autorisés à cet effet; en Suisse, par les bureaux principaux de douane et les bureaux secondaires.

Pour les cas prévus à l'Article VI, les autorités supérieures désigneront les bureaux de douane ayant la compétence de statuer à l'expédition.

11. Pour la réimportation en franchise de droits prévue à l'Article VI, lettres (a) à (g), il sera accordé un délai de six mois. En cas de besoin prouvé, ce délai sera étendu à douze mois.

12. La demande des intéressés, ce dernier délai, compté à partir du jour de l'exportation, doit être accordé si des considérations économiques ne s'y opposent, pour la réimportation en franchise de droits de marchandises qui, à l'époque où le Traité actuel prendra fin, se trouveront dans le territoire de l'autre État Contractant pour être perfectionnées.

III. *Add. aux Articles IV, V, et VI du Traité.*—Dans tous les cas prévus par ces Articles, les expéditions ont lieu sans perception d'un droit quelconque.

IV. *Add. à l'Article VII du Traité.*—(1.) Il est convenu que, pour le trafic entre les territoires des deux Parties Contractantes, l'une exigera des certificats d'origine que pour les marchandises qui, d'après leur provenance, sont soumises à des droits différents.

(2.) Les marchandises qui, sous contrôle douanier, vont d'une douane à une autre du même territoire, ne doivent pas, lors même qu'elles ont pour atteindre leur destination elles devraient toucher une ou plusieurs fois le sol étranger, être soumises à une expédition ultérieure par les douanes intermédiaires du même territoire.

Néanmoins, il n'est pas interdit de certifier, par des déclarations apposées sur le document de douane accompagnant la marchandise, l'usage, effectué par celle-ci, d'un territoire douanier dans l'autre.

(3.) Les marchandises et effets de voyageurs arrivant par les services ordinaires mentionnés aux horaires des institutions publiques de transport, telles que les chemins de fer, les bateaux à vapeur, postes, &c., doivent en tout temps être acquittés avec la plus grande célérité possible; pour de telles expéditions qui ont lieu en dehors des heures ordinaires d'ouverture des offices de douane, il ne sera, en aucun cas, prélevé de droit spécial quelconque.

(4.) Les deux Parties Contractantes se donnent réciproquement l'assurance de prendre, autant que possible, en considération les vœux provoqués par les besoins réels du trafic, pour ce qui concerne l'établissement de bureaux de péage et la fixation des attributions.

VIII. *Add. à l'Article VIII du Traité.*—(1.) La taxe révisée au quatrième alinéa de l'Article VIII pour la garantie du monopole ne sera restituée si l'objet frappé de cette taxe n'a pas été employé à la fabrication d'un article monopolisé.

(2.) Il est en outre entendu que, en ce qui concerne le monopole de l'alcool, existant en Suisse, la stipulation renfermée au quatrième alinéa de l'Article VIII ne sera applicable qu'aux raisins froids secs, aux marcs de raisin, aux lies de vin, aux fruits et déchets de fruits, aux baies de genièvre, aux racines de gentiane, aux fruits de genièvre, et autres matières analogues.

Le présent Protocole devra être considéré comme approuvé et confirmé par les Parties Contractantes sans autre ratification, et l'échange des ratifications du Traité de ce jour auquel il se rapporte.

Vienne, le 10 Décembre, 1891.

(L.S.) ROTH.

(L.S.) HAMMER.

(L.S.) C. CRAMER-F.

(L.S.) H. VII P. RE

TREATY of Commerce and Navigation between Austria-Hungary and Italy.—Signed at Rome, December 6, 1891.

[Ratifications exchanged at Rome, January 30, 1892.]

SA Majesté le Roi d'Italie et Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi Apostolique de Hongrie, animés du même égal désir d'étendre et de développer les relations commerciales

imes entre leurs États, ont résolu de conclure un nouveau
é, et, à cet effet, ont nommés pour leurs Plénipotentiaires :

la Majesté le Roi d'Italie, son Excellence M. le Marquis
nio Starrabba di Rudini, Chevalier Grand-Croix décoré du
d Cordon des Ordres des Saints Maurice et Lazare et de la
onne d'Italie, décoré de la médaille d'or à la valeur militaire,
té au Parlement, son Président du Conseil et Ministre des
es Étrangères ; M. Giacomo Malvano, Grand Officier des
es des Saints Maurice et Lazare et de la Couronne d'Italie,
mandeur avec Plaque de l'Ordre de François-Joseph d'Autriche,
eiller d'État, Secrétaire-Général du Ministère des Affaires
gères ; M. Nicola Miraglia, Grand-Officier des Ordres des
s Maurice et Lazare et de la Couronne d'Italie, Commandeur
Plaque de l'Ordre de François-Joseph d'Autriche, Directeur-
ral de l'Agriculture au Ministère de l'Agriculture, de l'Industrie,
Commerce ; M. Bonaldo Stringher, Commandeur de l'Ordre
Couronne d'Italie, Officier de l'Ordre des Saints Maurice et
re, Commandeur de l'Ordre de François-Joseph d'Autriche,
ecteur-Général au Ministère des Finances M. Antonio Monzilli,
mandeur des Ordres des Saints Maurice et Lazare et de la
onne d'Italie, Directeur du Commerce au Ministère de l'Agric-
re, de l'Industrie, et du Commerce ;

la Majesté l'Empereur d'Autriche, Roi de Bohême, &c., et Roi
holique de Hongrie, son Excellence M. le Baron Charles de
k, Chevalier de l'Ordre de la Couronne de Fer de première
e, Chevalier Grand-Croix décoré du Grand Cordou de l'Ordre
Saints Maurice et Lazare, son Conseiller Intime actuel, son
assadeur près Sa Majesté le Roi d'Italie ;

esquels, après avoir échangé leurs pleins-pouvoirs respectifs,
rés en bonne et due forme, sont convenus des Articles
nts :—

ART. I.* Il y aura pleine et entière liberté de commerce et de
gation entre les sujets du Royaume d'Italie et ceux de la
archie Austro-Hongroise, qui pourront, les uns et les autres,
blir librement dans les territoires de l'autre Partie Contractante.
sujets Italiens en Autriche-Hongrie, et les sujets Autrichiens et
grois en Italie, soit qu'ils s'établissent dans les ports, villes, ou
quelconques des territoires respectifs, soit qu'ils y résident
orairement, ne seront pas soumis, à raison de leur commerce et
leur industrie, à des droits, impôts, taxes, ou patentes, sous
que dénomination que ce soit, autres ni plus élevés que ceux
seront perçus sur les nationaux, et les privilèges, exemptions,
unités, et autres faveurs quelconques, dont jouiraient, en matière

* See Protocol, page 647.

de commerce ou d'industrie, les sujets de l'une des Hautes Parties Contractantes, seront communs aux sujets de l'autre.

II.* Les négociants, les fabricants, et les industriels en général, qui pourront prouver qu'ils acquittent, dans le pays où ils résident, les droits et impôts nécessaires pour l'exercice de leur commerce et de leur industrie, ne seront soumis, à ce titre, à aucun droit ou impôt ultérieur dans l'autre pays, lorsqu'ils voyagent ou font voyager leurs commis ou agents, avec ou sans échantillons, dans l'intérêt exclusif du commerce ou de l'industrie qu'ils exercent, et à l'effet de faire des achats ou de recevoir des commissions.

Les sujets des Hautes Parties Contractantes seront réciproquement traités comme les nationaux, lorsqu'ils se rendront d'un pays à l'autre, pour visiter les foires et marchés, à l'effet d'y exercer leur commerce et d'y débiter leurs produits.

Les sujets d'une des Hautes Parties Contractantes qui exercent le métier de charretier entre les divers points des territoires respectifs, ou qui se livrent à la navigation, soit maritime, soit fluviale, ne seront soumis, par rapport à l'exercice de ce métier et de ces industries, à aucune taxe industrielle sur les territoires de l'autre.

III. Les sujets de chacune des Hautes Parties Contractantes seront exempts, sur les territoires de l'autre, de tout service militaire, soit sur terre, soit sur mer, dans la troupe régulière ou dans la milice. Ils seront dispensés également de toute fonction officielle obligatoire, soit judiciaire, soit administrative ou municipale, du logement de soldats, de toute contribution de guerre, de toute réquisition ou prestation militaire, de quelque sorte que ce soit, à l'exception des charges provenant de la possession ou de la location des immeubles, et des prestations et réquisitions militaires qui seront supportées également par tous les sujets du pays, à titre de propriétaires ou de locataires de biens immeubles.

Ils ne pourront, ni personnellement, ni par rapport à leurs propriétés mobilières ou immobilières, être assujettis à d'autres devoirs, restrictions, taxes, ou impôts qu'à ceux auxquels seront soumis les nationaux.

IV. Les Italiens en Autriche-Hongrie, et les Autrichiens et les Hongrois en Italie, auront réciproquement le droit d'acquérir et de posséder des biens de toute sorte et de toute nature, meubles ou immeubles, et en pourront librement disposer par achat, vente, donation, permutation, contrat de mariage, testament, succession *ab intestato*, et par quelqu'autre acte que ce soit, aux mêmes conditions que les nationaux, sans payer des droits, contributions, et taxes autres ou plus élevés que ceux auxquels sont soumis, en vertu des lois, les sujets du pays même.

* See Protocol, page 647.

Les Italiens en Autriche-Hongrie, et les Autrichiens et les Français en Italie, seront entièrement libres de régler leurs affaires avec les nationaux, soit en personne, soit par l'entremise d'intermédiaires qu'ils choisiront eux-mêmes, sans être tenus à payer des contributions ou indemnités aux agents, commissionnaires, &c., s'ils ne voudront pas se servir, et sans être, sous ce rapport, soumis à des restrictions autres que celles qui sont fixées par les lois locales du pays.

Ils seront absolument libres dans leurs achats et ventes, dans la fixation du prix de tout objet de commerce, et dans leurs dispositions commerciales en général, en se conformant, toutefois, aux lois de l'État, et en se soumettant à ses monopoles.

Ils auront également libre et facile accès auprès des Tribunaux de toute instance et de toute juridiction, pour faire valoir leurs droits et pour se défendre.

Ils pourront se servir, à cet effet, d'avocats, de notaires, et de tous autres agents qu'ils jugeront aptes à défendre leurs intérêts, et ils auront, en général, quant aux rapports judiciaires, des mêmes droits et des mêmes privilèges qui sont ou seront accordés à l'avenir aux nationaux.

I.* Les Hautes Parties Contractantes s'engagent à ne pas entraver le commerce réciproque par des prohibitions quelconques d'importation, ou d'exportation, ou de transit.

Elles ne pourront faire d'exception à cette règle que—

a.) Pour les monopoles d'État actuellement en vigueur, ou qui pourraient être établis à l'avenir ;

b.) Par égard à la police sanitaire, et surtout dans l'intérêt de la santé publique, et conformément aux principes internationaux en vigueur à ce sujet ;

c.) Dans des circonstances exceptionnelles, par rapport aux nécessités de guerre.

II. Quant au montant, à la garantie et à la perception des droits, à l'importation et à l'exportation, ainsi que par rapport au transit, chacune des Hautes Parties Contractantes s'engage à faire savoir à l'autre de toute faveur que l'une d'elles pourrait accorder à une tierce Puissance. Toute faveur ou immunité concédée plus tard sous ces rapports à un tiers État sera étendue immédiatement, sans compensation, et par ce fait même, à l'autre Partie Contractante.

Les dispositions qui précèdent ne dérogent point—

a.) Aux faveurs actuellement accordées, ou qui pourraient être accordées ultérieurement à d'autres États limitrophes, pour faciliter le commerce de frontière, ni aux réductions ou franchises de droits

* See Protocol, page 647.

de douane, accordées seulement pour certaines frontières minées, ou aux habitants de certains districts ;

(b.) Aux obligations imposées à l'une des Hautes Parties contractantes par des engagements d'une Union Douanière, conclue déjà, ou qui pourrait être contractée à l'avenir.

VIII.* Les produits du sol ou de l'industrie Autrichien ou Hongrois, énumérés dans le Tarif (A), joint au présent Traité, lorsqu'ils seront importés en Italie, soit par terre, soit par mer, y seront admis en acquittant les droits fixés par le dit Tarif.

Tout produit du sol ou de l'industrie Autrichien ou Hongrois, dénommé ou non au Tarif (A), sera traité, à son entrée en Italie, sur le pied de la nation la plus favorisée.

Les produits du sol ou de l'industrie Italiens énumérés dans le Tarif (B), joint au présent Traité, lorsqu'ils seront importés en Autriche-Hongrie, soit par terre, soit par mer, y seront admis en acquittant les droits fixés par le dit Tarif.

Tout produit du sol ou de l'industrie Italien, dénommé ou non au Tarif (B), sera traité, à son entrée en Autriche-Hongrie, sur le pied de la nation la plus favorisée.

IX. L'Italie s'engage à ne pas augmenter, sauf accord préalable avec l'Autriche-Hongrie, le nombre ou le chiffre des droits de douane inscrits au Tarif Général du 14 Juillet, 1887, sur les articles pour lesquels l'exemption est inscrite au Tarif (B) du présent Traité. De son côté, l'Autriche-Hongrie s'engage à n'augmenter, sans accord préalable avec l'Italie, le nombre ou le chiffre des droits de douane de sortie inscrits au Tarif Général en vigueur sur les articles pour lesquels l'exemption est inscrite au Tarif (A) du présent Traité.

Le régime des monopoles d'État, ainsi que des armes et munitions de guerre, reste soumis aux lois et règlements des deux Parties respectifs.

Les marchandises de toute nature venant de l'un des territoires respectifs, ou y allant, seront réciproquement affranchies de tout droit de transit, soit qu'elles transitent directement, soit que, pendant le transit, elles doivent être déchargées, déposées ou rechargées.

X.† Pour favoriser le trafic spécial qui s'est développé entre les deux pays voisins, et notamment entre leurs districts-frontières respectifs, les objets suivants seront admis et exportés des deux côtés, avec obligation de les faire retourner, en franchise de tout droit de transit, à l'entrée et à la sortie, et conformément aux engagements émanés d'un commun accord par les Hautes Parties contractantes :—

* See Protocol, page 647, and Notes, page 669.

† See Protocol, page 647.

) Toutes les marchandises, à l'exception des articles de confection qui, en sortant du libre trafic sur les territoires d'une des Parties Contractantes, seront expédiées aux foires et marchés sur les territoires de l'autre Partie Contractante, pour y être déposées dans les entrepôts ou magasins de douane, ainsi que les échantillons importés réciproquement par les commis voyageurs des Maisons Italiennes, Autrichiennes, ou Hongroises, à la condition que toutes ces marchandises et ces échantillons, n'ayant pas été vendus, soient reconduits au pays d'où ils proviennent dans un délai établi à l'avance.

Les sacs de toute sorte, vides, signés, et ayant déjà servi, ainsi que les tonneaux vides et signés, qui sont importés des territoires d'une des Parties Contractantes pour être réexportés remplis, ou qui sont importés après avoir été exportés remplis.

) Le bétail conduit, d'un territoire à l'autre, aux marchés, pour les travaux agricoles, à l'hivernage, et au pâturage des Alpes. Dans le dernier cas, la franchise des droits à l'entrée et à la sortie sera également étendue aux produits respectifs, tels que le beurre, le fromage, recueillis, et les animaux mis bas pendant le séjour dans l'autre territoire.

La paille à tresser, cire à blanchir, cocons à dévider, déchets de filage, soie grège à filer (pour la fabrication de l'organsin et du trame).

) Le riz à moudre appartenant aux propriétés traversées par la frontière, ainsi qu'en général les céréales à moudre.

) Les objets destinés à être vernis, brunis, et peints, et les objets destinés à être réparés.

Dans les cas (c) et (d) il sera tenu compte du poids, déduction faite toutefois, des déchets naturels ou légaux.

Dans les autres cas l'identité des objets exportés et réimportés devra être prouvée, et les autorités compétentes auront, à cette fin, le droit de munir ces objets, aux frais de la partie intéressée, de signes caractéristiques.

1.* Les marchandises soumises au traitement de l'acquitté, et passant immédiatement des territoires d'une des Parties Contractantes à ceux de l'autre, ne seront point vérifiées, et les scellés ne seront pas levés et remplacés, sous la réserve que l'on ait satisfait aux exigences du service combiné à cet égard.

En général, les formalités du service douanier seront simplifiées et les expéditions seront accélérées autant que possible.

1.* Les droits internes de production, de fabrication, ou de consommation, qui grèvent ou grèveraient les produits du pays soit

* See Protocol, page 647.

pour le compte de l'État, soit pour le compte des administrations municipales ou corporations, ne pourront frapper, sous aucun prétexte, ni d'un taux plus élevé, ni d'une manière plus onéreuse, les produits similaires provenant de l'autre pays.

Aucune des Hautes Parties Contractantes ne pourra frapper, sous le prétexte d'une taxe interne, ni de droits nouveaux, ni de droits plus élevés, à l'entrée, les articles qui ne sont pas produits dans l'intérieur du pays même.

Si l'une des Hautes Parties Contractantes juge nécessaire d'établir un droit d'accise ou de consommation nouveau, ou un supplément de droits sur un article de production ou de fabrication nationale, compris dans les Tarifs annexés au présent Traité, l'article similaire étranger pourra être immédiatement grevé, à l'importation, d'un droit égal.

XIII. Les articles d'orfèvrerie et de bijouterie en or, argent, platine, ou autres métaux précieux, importés des territoires de l'une des Hautes Parties Contractantes, seront soumis, dans les territoires de l'autre, à un régime de contrôle, obligatoire ou facultatif, tel qu'il est établi par la loi du pays pour les articles similaires de fabrication nationale.

XIV. Les Hautes Parties Contractantes s'engagent à co-opérer par des moyens convenables pour empêcher et punir la contrebande entre leurs territoires ; à accorder, à cet effet, toute assistance légale aux employés de l'autre État chargés de la surveillance ; à les aider et à leur faire parvenir, par les employés de finance et de police, ainsi que par les autorités locales en général, toutes les informations dont ils auront besoin pour l'exercice de leurs fonctions.

Sur la base de ces dispositions générales, les Hautes Parties Contractantes ont conclu le cartel douanier ci-annexé.

Pour les eaux-frontière, et les points où se touchent les territoires des Hautes Parties Contractantes et ceux des États étrangers, on stipulera les mesures nécessaires pour l'assistance à se prêter, réciproquement, dans le service de surveillance.

XV. Aucun droit d'escale, ni de transbordement, ne pourra être perçu dans les territoires des Hautes Parties Contractantes, et les conducteurs des marchandises ne pourront être, sauf les dispositions de navigation et de police sanitaire, ainsi que celles qui sont nécessaires pour garantir la perception des impôts, contraints de s'arrêter, de décharger, ni de recharger à un endroit déterminé.

XVI.* Les Italiens en Autriche-Hongrie, et les Autrichiens et Hongrois en Italie, jouiront, en ce qui concerne les marques de

* See Protocol, page 647.

ne et de commerce, les dessins industriels, et les modèles, de la protection que les nationaux.

Les ressortissants de l'une des Hautes Parties Contractantes ont le droit de jouir de la protection de leurs marques, de leurs dessins, ou de leurs modèles, dans les territoires de l'autre Haute Partie Contractante, doivent effectuer le dépôt de ces marques, dessins, ou modèles, conformément aux prescriptions en vigueur dans les derniers territoires; savoir, en Italie, au Ministère de l'Agriculture, de l'Industrie, et du Commerce, ou à une des Préfectures du royaume, et en Autriche-Hongrie, à la Chambre de Commerce et d'Industrie de Vienne, et à celle de Budapest.

VII.* Les navires de l'une des Hautes Parties Contractantes ont le droit de faire escale dans les ports de l'autre, traités, soit à l'entrée, soit pendant leur séjour, soit à la sortie, sur le même pied que les navires nationaux, tant sous le rapport des droits et des taxes, quelle qu'en soit la nature ou dénomination, perçus au profit de l'État, des communes, corporations, fonctionnaires publics, ou établissements publics, que sous celui du placement de ces navires, leur chargement et déchargement, dans les ports, rades, baies, havres, et docks, et généralement pour toutes les formalités et conditions quelconques, auxquelles peuvent être soumis les navires, leurs équipages, et leurs cargaisons.

Ceci est de même pour le cabotage.

VIII.* La nationalité des navires de chacune des Hautes Parties Contractantes sera constatée d'après les lois et règlements en vigueur dans lequel les navires appartiennent.

Quant à la preuve du tonnage des navires, il suffira de produire les certificats de jaugeage, délivrés conformément aux lois du pays dans lequel ces navires appartiennent, et on ne procédera pas à une vérification aussi longtemps que la Déclaration échangée entre les Hautes Parties Contractantes, le 5 Décembre, 1873, restera en vigueur.

Les dispositions précédentes, seront applicables, sous la condition de réciprocité, aux navires de l'une des Hautes Parties Contractantes et à leur équipage, toutes les faveurs que l'autre aurait accordées, ou accorderait à l'avenir, à un tiers État, par rapport au traitement des navires et de leurs cargaisons.

Ceci excepté, cependant, des dispositions du présent Traité relatives à la pêche nationale.

X. Toutes les marchandises, quelle qu'en soit la nature ou la destination, dont l'importation, l'exportation, le transit, et la mise en dépôt pourra avoir lieu dans les États de l'une des Hautes Parties Contractantes par des navires nationaux, pourront égale-

* See Protocol, page 647.

ment y être importées, exportées, passer en transit, ou être mises en entrepôt par des navires de l'autre Partie, en jouissant des mêmes privilèges, réductions, bénéfices, et restitutions, et sans être soumises à d'autres ou plus forts droits de douane ou taxes, ni à d'autres ou plus fortes restrictions, que ceux qui sont en vigueur pour les marchandises, à leur importation, exportation, transit, ou à leur mise en entrepôt, par des navires nationaux.

XX. Aucun droit de navigation ou de port ne sera perçu, dans les ports des Hautes Parties Contractantes, sur les navires de l'autre Partie qui viendraient y relâcher par suite de quelque accident ou par force majeure; pourvu, toutefois, que le navire ne se livre à aucune opération de commerce, et qu'il ne prolonge pas son séjour dans le port au delà du temps nécessaire.

En cas de naufrage ou d'avarie d'un navire appartenant au Gouvernement ou aux sujets de l'une des Hautes Parties Contractantes sur les côtes ou les territoires de l'autre Partie, non seulement il sera donné aux naufragés toute sorte d'assistance et de facilités, mais encore les navires, leurs parties et débris, leurs ustensiles, et tous les objets y appartenant, les documents du navire trouvés à bord, ainsi que les effets et marchandises qui, jetés à la mer, auront été recouvrés, ou bien le prix de leur vente, seront intégralement remis aux propriétaires, sur leur demande, ou celle de leurs agents, à ce dûment autorisés; et cela sans autre paiement que celui des frais de sauvetage, de conservation, et en général des mêmes droits que les navires nationaux seraient tenus de payer en pareil cas.

A défaut du propriétaire ou d'un agent spécial, la remise sera faite aux Consuls, aux Vice-Consuls, ou aux Agents Consulaires respectifs. Il est, toutefois, bien entendu que, si le navire, ses effets, et marchandises devenaient, à l'occasion du naufrage, l'objet d'une réclamation légale, la décision en serait déférée aux Tribunaux compétents du pays.

Les épaves et les marchandises avariées provenant du chargement d'un navire de l'une des Hautes Parties Contractantes ne pourront, sauf le paiement, s'il y a lieu, des frais de sauvetage, être soumis par l'autre État au paiement de droits d'aucune espèce, à moins qu'on ne les passe à la consommation intérieure.

XXI.* Les conducteurs des navires et des barques appartenant à l'une des Hautes Parties Contractantes seront libres de naviguer sur toutes les voies de communication par eau, soit naturelles, soit artificielles, se trouvant sur les territoires des Hautes Parties Contractantes, aux mêmes conditions et en payant les mêmes droits sur les bâtiments ou sur la cargaison que les conducteurs de navires et de barques nationaux.

* Sée Protocol, page 647.

XII. Les Hautes Parties Contractantes sont d'accord que, le cas de vente judiciaire, les navires de l'une des Hautes Parties ne pourront être nationalisés dans l'autre sans une déclaration de retrait de pavillon, délivrée par l'autorité de l'État dont ils sont.

XIII. Les sujets de l'une des Hautes Parties Contractantes sont libres de faire usage, sous les mêmes conditions, et en payant les mêmes taxes que les nationaux, des chaussées et autres routes, canaux, écluses, bacs, ponts, et ponts-tournants, des ports et endroits de débarquement, signaux et feux servant à désigner les eaux navigables, du pilotage, des grues et poids publics, magasins, et établissements pour le sauvetage et le magasinage de la cargaison de navires et autres objets, en tant que ces établissements ou institutions sont destinés à l'usage du public, soit qu'ils soient administrés par l'État, soit par des particuliers.

Sur les règlements particuliers sur les phares, fanaux, et loyers de pilotage, il ne sera perçue aucune taxe s'il n'a été fait réellement de ces établissements et institutions.

Sur les routes servant à mettre les États des Hautes Parties Contractantes en communication directe ou indirecte, les uns avec les autres, ou avec l'étranger, les droits de péage perçus sur les navires qui passent la frontière ne pourront être, en proportion de la distance parcourue, plus élevés que ceux qui se perçoivent sur les transports se faisant dans les limites du territoire du

Les dispositions ne sont pas applicables aux chemins-de-fer.

XIV.* Les sujets des Hautes Parties Contractantes et leurs marchandises seront, quant aux chemins-de-fer, traités sur le même pied tant sous le rapport du prix et du mode de transport, que relativement aux temps des expéditions et aux impôts publics.

Les Hautes Parties Contractantes prennent l'engagement de veiller à ce que les administrations des chemins-de-fer respectifs établissent des correspondances et des tarifs directs pour le transport des personnes et des marchandises, aussitôt et à mesure que les Hautes Parties Contractantes le jugeront utile.

Il reste réservé aux autorités de surveillance des chemins-de-fer d'entendre entre elles sur des règlements de transport uniformes, applicables au trafic direct, surtout en ce qui regarde les délais de transport.

Les Hautes Parties Contractantes s'engagent à garantir la circulation sur les voies ferrées, entre leurs territoires, contre toute entrave et entrave. Les créances résultant du trafic réciproque sur le chemin-de-fer situé dans les territoires de l'une des Hautes

* See Protocol, page 647.

Parties Contractantes sont insaisissables lorsque le chemin-de-fer débiteur a son siège dans les territoires de l'autre Partie Contractante. Il n'y a d'exception que dans le cas où la saisie est faite à raison d'un jugement rendu par l'autorité judiciaire de l'État auquel appartient le chemin-de-fer créancier.

Le matériel roulant d'un chemin-de-fer de l'une des Hautes Parties Contractantes, ainsi que les objets mobiliers quelconques contenus dans ce matériel, et qui appartiennent à ce chemin-de-fer, ne peuvent également faire l'objet d'aucune saisie sur les territoires de l'autre Haute Partie Contractante, sauf le cas où la saisie est faite à raison d'un jugement rendu par l'autorité judiciaire de l'État auquel appartient le chemin-de-fer propriétaire.

Les administrations fixeront, d'un commun accord, les itinéraires pour la circulation des trains de correspondance, de manière que ni voyageurs ni marchandises ne souffrent de retards autres que ceux nécessités par le service du chemin-de-fer, de la douane, et de la police des passeports.

L'approbation de ces itinéraires est réservée à chaque Gouvernement pour la ligne située sur son territoire.

Les Hautes Parties Contractantes s'engagent à s'entremettre auprès des administrations des chemins-de-fer pour assurer, autant que possible, une coïncidence de trains du même genre, savoir, trains de grande vitesse avec trains de grande vitesse, trains de voyageurs avec trains de voyageurs, et trains mixtes avec trains mixtes.

XXV. Les Hautes Parties Contractantes prendront soin que le trafic réciproque des chemins-de-fer situés sur leur territoires soit facilité autant que possible, et pourvu que les deux lignes respectives aient la même largeur de voie, au moyen de jonctions directes des rails des lignes qui doivent se toucher au même endroit, et par le passage des wagons d'une voie sur l'autre.

Aux points-frontière, où se trouvent des jonctions directes des voies ferrées, et où a lieu le passage des wagons, les Hautes Parties Contractantes exempteront de la déclaration, du déchargement et de la revision à la frontière, ainsi que du plombage, toutes les marchandises qui arriveraient en wagons plombés selon les règlements en vigueur, et qui seraient destinées à être conduites, dans ces mêmes wagons, à un endroit à l'intérieur du pays où se trouve un bureau de douane ou de finance autorisé au traitement des expéditions, pourvu, toutefois, que ces marchandises soient déclarées à l'entrée par des listes de chargement et des lettres de voiture.

Les marchandises qui, sans être déchargées, passent en transit, dans des wagons propres à être plombés selon les règlements, sur les territoires d'une des Hautes Parties Contractantes, en venant des territoires de l'autre, ou y étant destinées, seront exemptées de la

ration, du déchargement, de la revision, et du plombage, tant à l'intérieur qu'aux frontières, pourvu qu'elles soient déclarées, au préalable, par des listes de chargement et des lettres de voiture.

L'application de ces dispositions est cependant subordonnée à la condition que les administrations des chemins-de-fer respectifs soient convenables de ce que les wagons arrivent au bureau d'expédition soit à l'intérieur du pays, ou à celui de sortie, en temps opportun, et avec les scellés intacts.

Toutes facilités, plus grandes que celles précédemment dénommées, seraient à être accordées par l'une des Hautes Parties Contractantes à des tiers États, quant à l'expédition douanière, seront réservées au commerce de l'autre Partie Contractante, pourvu que celle-ci accorde la réciprocité.

XVI. Les Hautes Parties Contractantes s'accordent, réciproquement, le droit de nommer des Consuls dans tous les ports et places commerciales des pays de l'autre Haute Partie Contractante, dans lesquels sont admis des Consuls d'un tiers État.

Les Consuls de l'une des Hautes Parties Contractantes jouiront, sous la condition de réciprocité, dans les territoires de l'autre, de toutes les prérogatives, facultés, et exemptions dont jouissent et jouiront à l'avenir les Consuls d'un autre État quelconque.

Les dits Agents recevront des autorités locales toute aide et assistance qui est ou viendrait à être accordée par la suite aux agents de la nation la plus favorisée, pour l'extradition des matelots et soldats faisant partie de l'équipage des navires de guerre ou de transports de l'une des Hautes Parties Contractantes qui auraient été arrêtés sur les territoires de l'autre.

XVII. Le présent Traité s'étend aux pays qui appartiennent actuellement, ou appartiendront à l'avenir, au territoire douanier de l'une des Hautes Parties Contractantes.

XVIII. Le présent Traité est destiné à remplacer le Traité de Commerce et de Navigation conclu le 7 Décembre, 1887,* entre l'Autriche-Hongrie et l'Italie. Il entrera en vigueur le 1^{er} Février, 1903, et restera exécutoire jusqu'au 31 Décembre, 1903. Dans le cas où aucune des Hautes Parties Contractantes n'aurait notifié, trois mois avant la fin de la dite période, son intention d'en faire cesser les effets, le dit Traité demeurera obligatoire jusqu'à l'expiration d'un an à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncé.

Les Hautes Parties Contractantes se réservent la faculté d'insérer dans ce Traité, d'un commun accord, toutes modifications qui ne seraient pas en opposition avec son esprit et ses principes, et dont l'utilité serait démontrée par l'expérience.

* Vol. LXXVIII, page 370.

XXIX. Le présent Traité sera ratifié, et les ratifications seront échangées à Rome le plus tôt possible.

En foi de quoi les Plénipotentiaires l'ont signé et l'ont cacheté de leurs armes.

Fait à Rome, en double expédition, le 6 Décembre, 18

(L.S.) RUDIN

(L.S.) G. MA

(L.S.) N. MI

(L.S.) B. STR

(L.S.) A. MO

(L.S.) v. BRU

TABIF (A).* -- Droits à l'Entrée en Italie.

Numéros du Tarif Italien en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.
1	Eaux minérales, naturelles ou artificielles et eaux gazeuses	100 kilog. .
3	Bière—	
(a)	En fûts et en futailles.. ..	Hectol. .
(b)	En bouteilles	Le 100 .
ex 4	Alcool—	
(a)	Pur, en fûts et en futailles (y compris le récipient)	Hectol. .
ex 6	Huiles fixes—	
(a)	D'olive, pure	100 kilog. .
ex 7 (a)	Huile de térébenthine	" .
ex 8	Huiles volatiles ou essences—	
(b)	D'orange et ses variétés	Kilog. .
(c)	De clous de girofle	" .
(d)	De menthe	" .
(e)	Non dénommées, excepté l'huile ou essence de rose	" .
9	Levures de toute sorte	" ..
11	Chicorée et toute autre substance sucrédanée du café—	
(a)	Sèche.. ..	" ..
(b)	Torréfiée ou même moulue	100 kilog. .
ex 30	Acides—	
(c)	Gallique et tannique, impurs.. ..	" ..
(d)	Acétique impur	100 kilog. .
(h)	Tartrique	" .
(i)	Phénique	" .

* See Protocol, page 647.

Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
		Lire c.
Acides (<i>suite</i>)—		
Acétique liquide (y compris le vin- aigre ordinaire) renfermant d'acide acétique pur—		
1. Le 10 pour cent et moins ..	100 kilog. ..	15 00
2. Plus de 10 pour cent et moins de 50 pour cent	" ..	90 00
3. Le 50 pour cent et au dessus ..	" ..	180 00
Benzoïque; carbonique, même gazéi- forme; gallique et tannique, purs : phosphorique, pyrogallique, sulfu- reux	" ..	10 00
Alcaloïdes—		
Sels de quinine,	Kilog. ..	5 00
Non dénommés et leurs sels	" ..	5 00
Oxyde de fer, de plomb et d'étain ..	100 kilog. ..	4 00
Oxyde de zinc	" ..	5 00
Bicarbonate—		
De plomb	" ..	8 00
Bicarbonate de soude	" ..	0 50
De potasse (y compris le bicarbonate) de soude—	" ..	0 50
D'argent	Kilog. ..	5 00
Tartrate (bitartrate de potasse), tartre de fût et lies de vin	" ..	Exempts.
Alfure de mercure (cinabre ou ver- millon)	100 kilog. ..	80 00
Alumine; brome; alumine, pure ou gélati- neuse; glycérine, brute et raffinée; oxalate (bioxalate) de potasse; sels de strontiane; cyanure de potas- sium; sel d'ammoniaque, excepté les bromures et iodures d'ammonium; sulfure de potassium et de sodium; sulfure d'arsenic (orpiment) jaune et rouge, non pulvérisé; chromate et bichromate de potasse et de soude; alun de chrome; sel d'étain; albu- mine, pure; préparations de cad- mium; oxyde de cuivre; préparations désincrustantes pour chaudières; acétates de barium, chaux, potasse et soude; oxyde d'antimoine (à l'exception des oxydes d'antimoine sulfuré ou oxysulfures, à savoir : crocus, foie et verre d'antimoine); benzates (à l'exception des ben- zates d'alcaloïdes et de mercure); brillantine pour l'apprêt des tissus; citrate de fer; foie de soufre; phos- phates (à l'exception des phosphates d'alcaloïdes et de mercure); manga- nates; mastic composé de huile de		

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			Lire c.
	noix ou de lin et d'oxyde ou carbonate de plomb; mastic composé de résine, cire et ocres, employé pour mastiquer les marbres ou autres matières semblables ou pour en enduire les bouchons des bouteilles ..	100 kilog. ..	4 00
ex 53	Capsules explosives et cartouches—		
(a)	Cartouches vides sans capsules ..	.. ..	60 00
(d)	Capsules .. .. ..	.. ..	220 00
ex 58	Camphre—		
(b)	Raffiné .. .. ..	.. ..	25 00
ex 61	Coton et ouate, antiseptiques; pepsine pure; extrait de houblon; beurre de cacao; huile camphrée; terpine ..	.. ..	10 00
ex 62	Limaille de fer pulvérisée, mais non autrement préparée .. ..	.. ..	10 00
ex 64 (a)	Graisses de voiture, composées d'huile de résine et de chaux .. ..	..	Exemptes.
ex 67	Racines, écorces, feuilles, fleurs, lichens, plantes et fruits pour teinture et tannage—		
(a)	Non moulus .. .. ..	..	Exemptes.
(b)	Moulus .. .. ..	..	"
70	Couleurs dérivées du goudron et d'autres substances bitumineuses—		
(a)	A l'état sec .. .. ..	..	Exemptes.
(b)	En pâte ou liquides .. ..	..	"
71	Extraits colorants de bois de teinture et d'autres matières tinctoriales de toute sorte	100 kilog. ..	10 00
72	Couleurs en tablettes, en poudre ou de toute autre sorte, y compris les laques couleur aniline .. ..	.. ..	10 00
ex 73	Vernis—		
ex (b)	Sans alcool, à l'exception des vernis contenant d'huiles minérales ..	.. ..	20 00
74	Crayons—		
(a)	Sans gaine de pastel coloré, et crayons avec gaine, non blanche, lissée ou vernissée .. .. ..	.. ..	100 00
(b)	Autres .. .. ..	.. ..	50 00
75	Encre—		
(a.)	D'imprimerie .. .. ..	.. ..	12 00
(b.)	De toute autre sorte .. ..	.. ..	15 00
ex 78	Cordages, cordes et ficelles, même goudronnés—		
(b)	De grosseur de 2 millim. et moins ..	.. ..	25 00
ex 82 (a)	Fils de lin lessivés ou blanchis, simples—		
	1. De 7,000 à 20,000 mètres le kilog. .. ..	.. ..	17 50
	2. Au delà de 20,000 jusqu'à 37,000 mètres le kilog. ..	.. ..	22 00

Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
		Lire c.
Tissus de lin, lessivés ou blanchis, unis, présentant en chaîne et en trame dans un carré de 5 millim. de côté—		•
1. Plus de 10 jusqu'à 26 fils ..	100 kilog. ..	66 40
2. Plus de 26 jusqu'à 45 fils ..	„ ..	84 00
Tissus de lin blanchis, ouvrés ou da- massés		Droits des tissus blanchis, unis.
Tissus de lin teints ou tissés en couleurs		Droits des tissus écrus augmenté de 35 livres les 100 kilog.
Passenterie de lin et de chanvre ..	100 kilog. ..	110 00
Bonneterie en matières textiles de la Catégorie V—		
Simple	„ ..	110 00
Objets cousus en matières textiles de la Catégorie V—		
Sacs, linge de lit et de table, essuie- mains, rideaux simplement bordés et articles similaires: de lin ..		Droit du tissu, avec augmentation de 10 pour cent.
Cols, manchettes et chemises pour hommes		Le double du droit du tissu.
Autres (à l'exception des articles compris sub a), qui ne sont pas en lin		Droit du tissu, avec augmentation de 40 pour cent.
Tissus de coton, imprimés		Droits des tissus blanchis, augmenté de 70 livres les 100 kilog.
Mèches de coton, pour lampes	100 kilog. ..	100 00
Objets cousus, en matières textiles de la Catégorie VI—		
Sacs, linge de lit et de table, essuie- mains, rideaux simplement bordés et articles similaires		Droit du tissu, avec augmentation de 10 pour cent.
Cols, manchettes et chemises pour hommes		Le double du droit du tissu.
Autres		Droit du tissu, avec augmentation de 40 pour cent.
Laine—		
Peignée, non teinte	100 kilog. ..	15 00
Crin—		
Frisé; cordes et ouvrages grossiers en crin	„ ..	17 00

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			Lire c.
125 (a)	Fils de laine cardée, simples— Écrus— 1. Jusqu'à 10,000 mètres au kilog. 2. Plus de 10,000 mètres au kilog.	100 kilog. .. " ..	45 00 55 00
125 (b)	Blanchis	Droit des écrus avec augmentation de 20 pour cent.	
(c)	Teints	Droit des écrus, avec augmentation de 25 lires les 100 kilog.	
126	Fils de laine cardée, retors	Droit des simples, avec augmentation de 17 lires les 100 kilog.	
127 (a)	Fils de laine peignée, simples— Écrus— 1. Jusqu'à 50,000 mètres au kilog. 2. Plus de 50,000 mètres au kilog.	100 kilog. .. " ..	60 00 75 00
(b)	Blanchis	Droits des écrus, avec augmentation de 20 pour cent.	
(c)	Teints	Droit des écrus, avec augmentation de 25 lires les 100 kilog.	
128	Fils de laine peignée, retors	Droit des simples avec augmentation de 17 lires les 100 kilog.	
129 (a)	Tissus de laine— Cardée, pesant au mètre carré— 1. 300 grammes au moins 2. Plus de 300 grammes jusqu'à 500 grammes	100 kilog. .. " ..	185 00 160 00
(b)	Peignée, pesant au mètre carré— 1. 200 grammes au moins 2. Plus de 200 grammes jusqu'à 500 grammes 3. Plus de 500 grammes	" .. " .. " ..	140 00 250 00 220 00 190 00
ex 130	Tissus de laine, imprimés, pesant 300 grammes ou moins le mètre carré ..	Droit du tissu selon l'espèce, avec augmen- tation de 30 lires les 100 kilog.	
132 (a)	Tissus de laine brodés— A point de chaînette	100 kilog. ..	200 00
(b)	A point passé	En plus du droit du tissu. 100 kilog. ..	300 00
ex 134 (a)	Tissus de crin— Pour tunis	100 kilog. ..	30 00

néros Tarif lien guen u ment la ature traité.	Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
			Lire c.
35	Bonneterie en matières textiles de la Catégorie VII—		
(a)	Simple	100 kilog. ..	220 00.
(b)	Façonnée		Droit de la simple, avec augmentation de 50 pour cent.
36	Passementerie en matières textiles de la Catégorie VII*	100 kilog. ..	220 00
37	Galons et rubans en matières textiles de la Catégorie VII	" ..	240 00
39	Dentelles et tulles, en laine	Kilog. ..	7 00
40	Tapis de pied en laine et en bourre de laine, y compris les tapis de pied dans lesquels prédominent en poids d'autres matières textiles à l'exception de la soie	100 kilog. ..	100 00
42	Objets cousus en matières textiles de la Catégorie VII		Droit du tissu, avec augmentation de 40 pour cent.
44	Cocons (excepté les douppions) .. ..	..	Exempts.
45	Soie—		
(a)	Simple, moulinée ou torsé, grège .. ..	..	Exempte.
47	Déchets de soie—		
(a)	De cocons ou de douppions (strusa, strazza di seta e di doppio), grèges .. ..	..	Exempts.
(b)	Autres, grèges .. .. .	..	"
48	Velours et peluches de soie ou de bourre de soie—		
(a)	Unis	Kilog. ..	9 00
49	Fichus, écharpes et cache-nez, noirs ou de couleur, en tissu non façonné de soie ou de bourre de soie, non cousus	" ..	6 50
	Fichus, écharpes et cache-nez, noirs ou de couleur, en tissu façonné de soie ou de bourre de soie, non cousus	" ..	9 00
150	Velours mixtes dans lesquels la soie ou la bourre de soie entre dans une proportion non inférieure à 12 pour cent et non supérieure à 50 pour cent—		
(a)	Unis	100 kilog. ..	7 00
(b)	Façonnés	" ..	10 00

La passementerie dont la partie extérieure est composée de laine et autres
matières textiles, à l'exception de la soie, la laine entrant dans la proportion
de moins de 50 pour cent, est admise au droit de 180 liras les 100 kilog.

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<i>ex</i> 151	Tissus mixtes dans lesquels la soie ou la bourre de soie entre dans une proportion non inférieure à 12 pour cent et non supérieure à 50 pour cent— De couleur—	100 kilog. ..
(b)	1. Unis 2. Façonnés	" ..
<i>ex</i> 154	Rubans et galons mixtes dans lesquels la soie ou la bourre de soie entre dans une proportion non inférieure à 12 pour cent et non supérieure à 50 pour cent	En plus du d selon l'e
156	Passementerie en matières textiles de la Catégorie VIII	Droit des
160	Objets cousus en matières textiles de la Catégorie VIII	Droit du augmenta pour cent.
161	Charbon de bois .. .. .	..
162	Bois à brûler .. .. .	..
<i>ex</i> 163	Bois—	
(a)	Commun—	
1. Brut ou simplement dégrossi ou coupé à la hache .. .. .	..	..
2. Equarri, scié .. .. .	..	..
3. En éclisses pour boîtes, tamis, cribles et articles similaires; en cercles de tout longueur .. .. .	..	..
4. Débité pour allumettes .. .. .	..	..
<i>ex</i> (b)	D'ébénisterie—	
2. Scié de long	100 kilog. ..	
3. En planches ou carreaux marquetés pour parquets	"	"
164	Tonneaux vides, neufs ou usagés—	
(a)	Cerclés en bois	Hectol. de capacité
(b)	Cerclés en fer	"
<i>ex</i> 165	Meubles et parties de meubles, bruts ou finis—	
(a)	Non rembourrés—	
1. En bois commun courbé	100 kilog. ..	
2. Autres en bois commun	"	"
3. En bois d'ébénisterie, plaqués, sculptés ou marquetés	"	"
<i>ex</i> 166	Corniches et baguettes pour corniches—	
(b)	Vernissées, dorées ou argentées	"
167	Rames, échalas, et perches .. .. .	..

	Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
			Lire c.
70	Ustensiles et ouvrages divers en bois commun—		
(a)	Bruts.. .. .	100 kilog. ..	6 00
(b)	Polis ou peints—		
	1. Fuseaux, bobines, et rochets..	" ..	8 00
	2. Autres	" ..	13 00
71	Mercerie commune en bois	" ..	50 00
72	Jouets en bois	" ..	60 00
77	Ouvrages de vannier et de nattier—		
(b)	Fins	" ..	30 00
82	Pâte de bois—		
	(a.) Cellulose .. .. .	..	Exempte.
	(b.) Autre, y compris la pâte de paille et d'autres substances simi- laires	100 kilog. ..	1 00
83	Papier—		
(a)	Blanc ou teint en pâte de toute sorte.	" ..	12 50
(d)	Colorié, doré ou point, et de tenture (y compris le papier blanc pour la lithographie et la photographie) ..	" ..	40 00
(f)	D'emballage, même teint en pâte—		
	1. Non lissé par le cylindre ..	" ..	3 00
	2. Lissé par le cylindre d'un côté..	" ..	5 00
85	Estampes, lithographies, et étiquettes (cartelli), y compris les chromolitho- graphies	" ..	75 00
86	Carton—		
(a)	Commun—	" ..	2 00
87	Ouvrages en papier et en carton ..	" ..	80 00
88	Livres et musique—		
(a)	Imprimés—		
	ex 1. Musique avec texte en langue Italienne, et livres en texte mixte (Italien et autre langue), en feuilles vo- lantes, ou brochés .. ..	..	Exempts.
	2. En langue autre que l'Ita- lienne, en feuilles volantes, ou brochés .. .. .	..	Exempts.
	3. Reliés, de tout genre..	100 kilog. ..	20 00
er (b)	Livres non imprimés (registres)—		
	1. En feuilles volantes, ou reliés en carton, même avec coins et dos de toile	" ..	22 00
	ex 2. Reliés en carton recouvert de toile, même avec coins et dos de cuir	" ..	36 00
190	Peaux—		
er (d)	Tannées sans poil—		
	3. Vernies	" ..	90 00
	5. Finies, autres (à l'exception des peaux vernies et à semelles) ..	" ..	70 00

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			Lire c.
ex 196	Chaussures— (a.) De tout genre, en cuir, ou en étoffe, à l'exception de la soie ou du velours	100 paires ..	100 00
	(b.) En caoutchouc, doublées ou garnies d'étoffes	„ ..	125 00
ex 201 (d)	Lampes et leurs parties, en fonte moulée, avec ou sans garnitures ou ornements en zinc, étamées, émaillées, nickelées, oxydées, laquées	100 kilog. ..	15 00
203	Fer et acier—		
(a)	Laminé ou battu, en verges, tringles, ou barres, calibrées de toute section— 1. N'ayant en section aucun diamètre, ni côté, de 7 millim. ou moins 2. Ayant en section un ou plusieurs côtés ou diamètres de 5 millim. ou moins, mais plus de 5 millim. 3. Ayant en section un ou plusieurs côtés ou diamètres de 5 millim. ou moins (à l'exception des fils)	„ .. „ .. „ ..	6 00 7 00 9 00
(b)	Laminé ou étiré en fils— 1. Ayant un diamètre de 5 millim. ou moins, mais plus de 1½ millim. 2. Ayant un diamètre de 1½ millim. ou moins	„ .. „ ..	11 00 15 00
(c)	En tôle— 1. De l'épaisseur de 4 millim. et plus 2. De moins de 4 millim. et plus de 1½ millim. 3. De 1½ millim. ou moins	„ .. „ .. „ ..	7 00 10 00 12 00
(d)	En tuyaux— 1. De tôle de l'épaisseur de 4 millim. et plus 2. De tôle de moins de 4 millim. et plus de 1½ millim. 3. De tôle de 1½ millim. ou moins	„ .. „ .. „ ..	12 00 14 00 17 00
ex 204	Fer et acier forgés ou moulés—		
(a)	Ancres, essieux de voiture, enclumes, et autres ouvrages bruts, pesant 50 kilog. ou plus	„ ..	9 00
ex (b)	Essieux de voiture, bruts, pesant moins de 50 kilog.	„ ..	12 00
ex 206 (a) et (b)	Clous forgés de fer ou d'acier	„ ..	10 00

Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
Fer et acier de seconde fabrication, en travaux—		Lire c.
Faits principalement avec fers ou aciers gros (grosi)—		
2. En objets rabotés, limés, tournés, forés, &c., sur toute ou grande partie de leur superficie ..	100 kilog. ..	13 25
3. En objets étamés, plombés, zingués, et vernis ..	„ ..	15 50
Faits principalement avec fers ou aciers minces (piccoli)—		
2. En objets rabotés, limés, tournés, forés, &c., sur toute ou grande partie de leur superficie; étamés, plombés, zingués, vernis ..	„ ..	17 25
Ustensiles et instruments usuels pour les arts et métiers, en fonte, fer et acier—		
Communs—		
1. Haches, hachettes, charrues, outils ordinaires pour l'agriculture en général, hoyaux, bigornes, coins, valets, truelles, pièces d'acier à aiguiser (coti), herbes, filières, fourches, rouanottes, leviers, couperets, marteaux, étaux de forgerons, pelles, pics, pioches, râtaux, sarcloirs, cognées, ténailles, socs, &c. ..	„ ..	13 00
Fins—		
1. Cries (binde), balances à bascule, brunissoirs, burins, tournevis, composteurs, copies-lettre, cisailles, sécateurs forges portatives, étampes, ou poinçons; outils non dénommés pour cordonniers, doreurs, menuisiers, forgerons, maréchaux-ferrants, coiffeurs, imprimeurs, et autres artisans; fers à repasser et à plisser, rognepied, ruban de scies, alènes, tourne-à-gauche, languettes ou fers à rabots, polissoirs, peignes, rabots, pinces, poinçons, serpes, racloirs, pointes pour forêts et repaus,		

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			Lire c.
	scalpels, scies, gouges, spatules, emporte-pièces, forets, vrilles, tarières, timbres, tampons pour timbres et poinçons, tours d'horlogers, tréfans à mains, lacerets, &c., même vernis, polis, zingués, galvanisés, doublés de cuivre, étamés, plombés, et garnis partiellement d'autres métaux.		
ex 210	Ustensiles et instruments, &c. (<i>suite</i>)—	100 kilog. ..	17 00
(c)	Faux et faucilles	" ..	12 00
	Limes et râpes, ayant manche non compris, une longueur—		
	1. De plus de 30 centim. ..	" ..	13 00
	2. De 15 jusqu'à 30 centim. ..	" ..	15 00
	3. Au-dessous de 15 centim. ..	" ..	20 00
ex 211	Cuivre, laiton, et bronze—		
ex (f)	Becs et galeries pour lampes ..	" ..	75 00
ex 214	Plomb, et ses alliages, avec l'antimoine—		
(c)	Caractères d'imprimerie	" ..	18 00
216	Zinc—		
(a)	En pains et débris	" ..	Exempt.
(b)	En tôles et feuilles	100 kilog. ..	4 00
(c)	En ouvrages non dorés, ni argentés, non ornés, ni vernissés	" ..	12 00
(d)	En ouvrages non dorés, ni argentés, avec ornement ou vernis de toute genre	" ..	12 00
(e)	En ouvrages dorés ou argentés	" ..	58 00
218	Antimoine métallique (régule d'antimoine)	" ..	6 00
225	Aiguilles et épingles	" ..	80 00
ex 226	Machines—		
ex (a)	A vapeur, fixes, sans chaudière ..	" ..	12 00
ex (a)	A vapeur, demi-fixes, avec chaudières annexée, à air chaud, à air comprimé, à gaz, à pétrole, y compris les motrices rotatives—		
	D'un poids supérieur à 300 kilog.	" ..	12 00
ex (b)	Chaudières—		
	ex 1. Tubulaires en fer et fonte ..	" ..	14 00
	2. Non tubulaires	" ..	12 00
ex (c)	Hydrauliques et moteurs à eau ou à vent—		
	Roues hydrauliques, presses, accumulateurs, élévateurs, et monte-charges	" ..	10 00
(e)	Locomobiles	" ..	12 00
(g)	Agricoles, de toute sorte	" ..	9 00
(i)	Machines et métiers à tisser	" ..	10 00

Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
		Lire c.
Machines (<i>suite</i>)— Machines-outils pour ouvrir le bois et les métaux (scies, rabots, tours, trépan, machines à fileter, &c.), d'un poids supérieur à 300 kilog. ..	100 kilog. ..	9 00
A coudre—		
1. Avec supports	" ..	25 00
2. Sans supports	" ..	30 00
Machines à broyer ou pulvériser des pierres, des minerais, os, &c.; treuils, en fonte et en fer; grues mécaniques, non hydrauliques; chevalets pour lever des wagons, &c.; machines centrifuges pour la fabrication du sucre; piles à cylin- dre (cilindri olandesi per la fabbri- cazione della carta); freins auto- moteurs (à air comprimé, à vide, &c.); laminoirs; machines à cylin- drer, excepté celles pour cylindrer des tissus; machines de congéla- tion; machines à fabriquer des eaux gazeuses; machines à papier; machines à couper le papier; ma- chines de briqueterie; machines à laver et repasser le linge; ma- chines à relier les livres; machines pneumatiques à usage industriel; machines à polir; ventilateurs avec mécanismes; cardes non garnies; machines à sécher les fils; ma- chines à laver et dégraisser les fils; machines à percer le papier; ma- chines à teindre les fils	" ..	10 00
Pièces détachées—		
1. De machines à coudre	" ..	30 00
2. D'autres machines (à l'excepti- on des machines dynamo- électriques), en fonte.	" ..	11 00
Instruments d'optique, de calcul, de précision, d'observation, de chimie, de physique, de chirurgie, &c. ..	" ..	30 00
Or—		
Filé sur soie ou sur toute autre ma- tière textile	Kilog. ..	10 00
Battu en feuilles (sans défalcation du poids du papier)	" ..	18 00
Argent—		
Filé sur soie ou sur toute autre ma- tière textile	" ..	10 00
Battu en feuilles (sans défalcation du poids du papier)	" ..	5 00
Orfèvrerie et vaisselle d'or	Hectog. ..	14 00

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			Lire c.
234	Ouvrages en argent, même doré, ou ar- genterie.. .. .	Kilog. ..	9 00
<i>ex</i> 236	Horloges—		
(c)	De table, à tableau ou pendule, sans cage	Pièce ..	5 00
(d)	De table, à tableau ou pendule, avec cage .. .. .	.. ..	5 00
(e)	Reveil-matin sans sonnerie des heures*	plus le droit de la cage.	
<i>ex</i> 240	Pierres précieuses ouvrées—	Pièce ..	1 50
(b)	Agathes, opales, onyx, grenade, même enfilés	Kilog. ..	9 00
245	Terres colorées (bols, ocre, et terres sigillées, naturelles ou artificielles) ..	100 kilog. ..	3 00
<i>ex</i> 246	Pierres, terres, et minerais, à l'exception des minerais métalliques—		
(a)	Chaux, plâtre, &c. .. ..	..	Exempts.
<i>ex</i> 252	Terres cuites—		
<i>ex</i> (a)	D'un usage commun— <i>ex</i> 1. Poêles et parties de poêles de toute forme	100 kilog. ..	2 50
253	Majoliques (faïences), ou ouvrages de pâte colorée, recouverte d'émail ou de vernis opaque—		
(a)	Carreaux, même peints en plusieurs couleurs, et grès ordinaires ..	.. ..	6 00
(b)	Blancs, ou colorés à fond uni ..	.. ..	10 00
(c)	Différemment colorés ou autrement décorés .. .. .	.. ..	14 00
254	Poteries ou ouvrages de pâte blanche—		
(a)	Blancs et grès fins .. ..	.. ..	16 00
(b)	Différemment colorés ou peints, dorés ou autrement décorés .. ..	.. ..	25 00
255	Porcelaines—		
(a)	Blanches .. .. .	.. ..	16 00
(b)	Colorées, dorées, ou autrement dé- corés .. .. .	.. ..	35 00
<i>ex</i> 258	Ouvrages de verre et de cristal—		
(a)	Simplement soufflés ou coulés, non colorés, ni passés à la meule, ni taillés, ni gravés .. ..	.. ..	8 50
(b)	Colorés, teints en pâte, taillés, passés à la meule, à l'émeri, et gravés ..	.. ..	15 00
(c)	Peints, émaillés, dorés, argentés, ou autrement décorés .. ..	.. ..	18 00
259	Bouteilles communes .. ..	.. ..	4 00

* Les horloges dites "de la Forêt Noire" ayant les montants (dans lesquels se trouve le mécanisme), en bois, sont admises au droit de 100 liras les 100 kilog., y compris la cage. Les horloges dites "à système Américain" sont admises au droit de 150 liras les 100 kilog., y compris la cage.

	Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.	Droits.
			Lire c.
	Dame-jeanes, même entourées de tresses de paille et de roseau	100 kilog. ..	6 00
	Verres, cristaux, et émaux, on forme de perle (conterie), pierreries et prismes pour lustres, et autres ouvrages sem- blables	" ..	30 00
	Fécules	" ..	2 00
	Amidon—		
(b)	Ordinaire, non de riz	" ..	8 00
(c)	Fin ou en boîtes	" ..	15 00
(g)	Fruits secs—		
	Prunes sèches	" ..	2 00
	Fruits, légumes, et produits de jar- dinage—		
(a)	Dans du vinaigre, de l'eau salée, ou de l'huile	" ..	20 00
	Houblon	" ..	Exempt.
	Tourteaux de noix et d'autres matières oléagineuses	" ..	Exempts.
	Chevaux	" ..	Exempts.
	Porcs—		
(a)	Pesant jusqu'à 10 kilog. inclusive- ment	Tête ..	0 75
(b)	Pesant plus de 10 jusqu'à 20 kilog. ..	" ..	3 00
(c)	Pesant plus de 20 kilog.	" ..	3 75
1	Viande—		
(b)	Salée, fumée, ou autrement préparée.	100 kilog. ..	25 00
6	Poissons—		
(a)	Frais, de toute espèce	" ..	Exempts.
1	Fromage	100 kilog. ..	12 00
4	Graisses, autres que le saindoux ..	" ..	Exempts.
5	Acide stéarique (y compris la stéarino et la palmitine); cérésine, pure ou mélangée de paraffine	100 kilog. ..	8 00
7	Abeilles vivantes, avec leurs ruches ..	" ..	Exempts.
(b)	Boutons de nacre	100 kilog. ..	100 00
27	Objets en ambre	" ..	150 00
29	Mercerie—		
	En verre	" ..	60 00
(a)	Commune—		
	1. Boîtes en bois ou autres ma- tières avec assortiment de couleurs, petits pinceaux, petits plats, et autres acces- soires pour la peinture; veilleuses avec mèche recou- verte de stéarine, de cire, ou de suif, et munies de papier, de bois, ou de toute autre matière, en boîtes avec le flotteur relatif (sans défalca- tion des boîtes, ni du flotteur).	" ..	75 00

Numéros du Tarif Italien en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Unités sur lesquelles portent les Droits.
<i>ex</i> 329	Mercurie (suite)—	
	2. Pinceaux de poils fins et de cheveux (y compris les pinceaux à barbe), à l'exception des pinceaux ayant le manche en ivoire, nacre, écaille, os, ou matières semblables; jouets de toute sorte (y compris les poupées), en tant qu'ils rentrent sous le No. 329 (a), (mercurie commune).	100 kilog. ...
<i>ex</i> (b)	Fine—	
	1. Dont la matière dominante consiste en cuir de toute sorte (y compris le cuir de Russie) ..	" ..
	2. Pipes, fume-cigars, et autres objets, en écume de mer ..	" ..
	3. Jouets de toute sorte (y compris les poupées), en tant qu'ils rentrent sous le No. 329 (b), (mercurie fine) ..	" ..
<i>ex</i> 331	Instruments de musique—	
(b)	Pianos—	
	1. Carrés et verticaux	Pièce ..
	2. A queue	" ..
(d)	Non dénommés, à cordes—	
	1. Pesant 400 grammes et moins ..	" ..
	2. Pesant plus de 400 grammes ..	" ..
(e)	Non dénommés, à vent—	
	1. Pesant 400 grammes et moins ..	" ..
	2. Pesant plus de 400 grammes ..	" ..
(f)	Autres non dénommés.. ..	" ..
332	Parties détachées d'instruments de musique	100 kilog. ...
<i>ex</i> 334	Caoutchouc et gutta-percha—	
(g)	Ouvrés en passementerie, en rubans, et en tissus élastiques	" ..
<i>ex</i> 336	Bonnets rouges, en laine, tricotés, foulés, sans houppe ou avec houppe, non de soie	Le 100 ..
<i>ex</i> 337	Chapeaux—	
<i>ex</i> (b)	En feutre, garnis ou non, pour hommes et garçons	" ..
343	Pinceaux, avec ou sans manche.. ..	100 kilog. ...

-Droits à l'Entrée dans le Territoire Douanier Austro-Hongrois.

Dénomination des Marchandises.	Les 100 kilg.
	Fl. k.
Figues—	
Fraîches	1 00
Sèches	1 00
Citrons, limons, oranges	Exempts.
Citrons, limons, oranges en saumure; orangettes non arrivées à maturité; écorces d'oranges et de citrons	
Dattes, pistaches	12 00
Amandes—	
Sèches, en coque ou mondées	5 00
Vertes en coque	1 50
Pignons non mondés, caroubes, châtaignes, azeroles, pommes de paradis, olives fraîches, sèches ou salées	2 00
Pignons mondés, grenades	12 00
Riz mondé et brisures de riz	1 50
Raisins de table, frais (poids du colis 5 kilog. ou moins)	2 00
Noix et noisettes, sèches ou mondées.. .. .	1 50
Légumes, de table, frais, fins	Exempts.
Légumes non spécialement dénommés, frais.. .. .	"
Légumes non spécialement dénommés: secs ou préparés (séchés au four ou au soleil, pressés, découpés, réduits en poudre ou autrement triturés; salés ou confits au vinaigre, en barils)	2 00
Jus de citron	Exempt.
Fenouil, cumin, graines de trèfle, graines de moutarde et semences non spécialement dénommées	Exempts.
Fleurs et feuilles d'ornement, fraîches, coupées	Exempts.
Plantes vivantes	0 50
Racines de chicorée, séchées (non torréfiées)	0 75
Plantes et parties de plantes non spécialement dénommées, fraîches	Exempts.
Plantes et partie de plantes non spécialement dénommées, sèches ou préparées (réduites en poudre ou autrement triturées ou teintées)	"
Houblon et lupuline	7 00
	poids brut.

* See Protocol, page 647.

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k. Par tête.
39	Bœufs	12 75
40	Taureaux	4 00
41	Vaches	3 00
42	Bouvillons, taurillons, et génisses	2 50
43	Veaux	1 50
ex 44	Brebis (même boucs et moutons)	0 50
ex 45	Agneaux	0 25
46	Porcs pesant plus de 10 kilog... .. .	1 50
47	Porcs pesant 10 kilog. ou moins	0 30
48	Chevaux	10 00
	<i>Observations—</i>	
	1. Chevaux jusqu'à l'âge de deux ans	5 00
	2. Poulains qui suivent leur mère	Exempt.
49	Mulets et ânes	"
ex 50	Volaille de toute sorte—	Exempt.
(a)	Vivante	100 kilog. "
		3 00
(b)	Morte	Exempt.
51	Poissons frais; écrevisses (d'eau douce), escargot frais, scampi (nephrops norve- gicus)	Exempt.
55	Œufs de volaille	"
ex 56	Ruches avec le miel et la cire	Exempt.
60	Peaux brutes (vertes ou sèches, même salées ou passées à la chaux, mais pas autrement travaillées)	"
61	Poils de toute sorte, bruts ou apprêtés (poignés, bouillis, teints ou passés au mordant, même en boucles); soies de porc	Exempt.
62	Plumes non spécialement dénommées (y compris les plumes à lit et tiges de plumes); plumes de parure non apprêtées.	Exempt.
ex 67	Parafine	5 00
70	Huile de palme et huile de noix de coco, solide; suif végétal	1 00
72	Huile d'olive pure, en futailles, outres et vessies	2 40
	Huile de pavot, de sésame, d'arachide, de faines, de tournesol, de graine de coton (huile de coton), mélanges d'huile d'olive avec autres huiles grasses, en futailles, outres et vessies	4 00
73	Huile de lin en futailles, outres et vessies	2 40
	Huile de navette et autres huiles grasses, non spécialement dénommées, en futailles, outres et vessies	4 00
	<i>Observations aux Numéros 72 et 73.—</i> Les huiles d'olive, de ricin et d'ara- chide, en futailles, outres et vessies, entièrement dénaturées sous contrôle des bureaux de douane spécialement autorisés à cet effet	0 80

Numéros du Tarif Général Austro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k.
74	Huiles grasses en bouteilles et cruches ..	10 00
78 (a)	Vinaigre de table en futaillcs ..	4 00
82	Pâtes farineuses dites d'Italie (c'est-à-dire, vermicelles et autres produits similaires de farine, non frits)	Droit de la farine.
83	Viande fraîche ou préparée, c'est-à-dire, salée, desséchée, fumée ou en même temps des- séchée et salée (gepöckelt)	6 00
84	Saucisses	16 00
85	Fromages	10 00
87	Poissons, à l'exception des harengs, salés, fumés, séchés	3 00
88	Poissons préparés (marinés ou conservés dans l'huile, &c.), en barils	15 00
92	Tous les aliments renfermés hermétiquement dans des boîtes, bouteilles et similaires (autres que ceux repris aux Numéros 89 et 91)	35 00
93	Comestibles non spécialement dénommés ..	35 00
96	Charbon de bois, tourbe et charbon de tourbe, lignite et charbon de terre, cokes et com- bustibles artificiels solides de toute sorte, fabriqués de ces matières	Exempt.
99	Cornes entières, cornes en feuillets, pointes de cornes, sabots, pieds, griffes; os sciés, redressés ou débités en morceaux	"
ex 101	Corail brut, même perforé, mais non poli ..	Exempt.
102	Pierres brutes ou simplement dégrossies ou sciées; minerais, même préparés	Exempt.
103	Terres et substances minérales—	
(a)	Brutes	Exemptes.
(b)	Calcinées, lavées ou moulues—	
	1. Terres colorantes	0 50
	2. Autres	Exemptes.
	Tous ces articles en tant qu'ils ne sont pas repris dans d'autres catégories du tarif.	
ex 104	Jus de réglisse	4 00
ex 106	Eaux de fleurs d'oranges et semblables eaux de senteur (sans alcool)	6 00
107	Huiles volatiles—	
(a)	Huile de succin, de corne de cerf, de caoutchouc, de laurier, de romarin et de genièvre	6 00
(b)	Autres	15 00
108	Vinaigres, graisses et huiles, parfumées, en récipients d'au moins 5 kilog.	10 00
109	Bois de teinture—	
(a)	En bûches	Exempt.
(b)	Réduits en menues parties (c'est-à-dire, rapés, moulus, coupés)	0 75

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100
		FL.
109	Bois de teinture (<i>suite</i>)—	
(c)	Réduits en menues parties, ayant subi une fermentation	0
110	Ecorces, racines, feuilles, fleurs, fruits, avelanèdes, noix de galle et semblables, même coupés en morceaux, moulus ou autrement réduits, à l'usage de la teinture ou du tannage	Exem
ex 112	Extrait de bois de châtaignier	1
113	Orseille, persio, indigo, cochenille	Exem
	Extraits de substances propres au tannage et à la teinture, non spécialement dénommés	1
114	Goudron de toute sorte, excepté le goudron de lignite ou de schiste	Exem
ex 115	Résine commune; colophan; poix, à l'exception de la poix de goudron de houille	0
	Poix de goudron de houille	0
ex 117	Huile de résine	1
118	Résines de copal, de dammar; laque en écailles, gomme Arabique, gomme de Djeddah, gomme du Sénégal, gomme-gutte, gomme adragante; gommes, résines et gommes-résines, baumes naturels et sucs de plantes, non spécialement dénommés (y compris la manne)	Exem
	Fils de coton—	
124	Simple, écrus—	
(a)	Jusqu'au No 12 Anglais	6
(b)	Au delà du No. 12 jusqu'au No. 29 Anglais	8
124 bis	Double, écrus—	
(a)	Jusqu'au No. 12 Anglais	8
(b)	Au delà du No. 12 jusqu'au No. 29 Anglais	10
125	Simple ou double, blanchis ou teints—	
(a)	Jusqu'au No. 12 Anglais	12
(b)	Au delà du No. 12 jusqu'au No. 29 Anglais	14
126	A trois bouts ou plus, écrus, blanchis ou teints	24
ex 127	Fils de coton, accommodés pour la vente au détail	35
	Tissus de coton—	
128	Ordinaires, unis, c'est-à-dire, tissés de fils du No. 50 et au-dessous, contenant 38 fils ou moins dans un carré de 5 millim., unis, même simplement croisés—	
(a)	Écrus	32
(b)	Blanchis	40
(c)	Teints	50
(d)	Tissés en couleurs, imprimés	60

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k.
129	Tissus de coton (<i>suite</i>)— Ordinaires, façonnés, c'est-à-dire, tissés de fils du No. 50 et au-dessous, contenant 38 fils ou moins dans un carré de 5 millim., façonnés—	
(a)	Écrus	40 00
(b)	Blanchis	50 00
(c)	Teints	60 00
(d)	Tissés en couleurs, imprimés	70 00
130	Ordinaires, serrés, c'est-à-dire, tissés de fils du No. 50 et au-dessous, contenant plus de 38 fils dans un carré de 5 millim.—	
(a)	Écrus	50 00
(b)	Blanchis	60 00
(c)	Teints	70 00
(d)	Tissés en couleurs, imprimés	80 00
131	Fins, c'est-à-dire, tissés de fils au-dessus du No. 50 jusqu'au No. 100 inclusivement—	
(a)	Écrus	70 00
(b)	Blanchis, teints, tissés en couleurs ou imprimés	100 00
132	Surfins, c'est-à-dire, tissés de fils au-dessus du No. 100; tulle (bobinets, petinets, étoffes similaires pour rideaux et filets similaires pour meuble); tissus combinés avec des fils métalliques	140 00
	<i>Observation.</i> — Filets gommés, façon bobin	50 00
133	Broderies; dentelles	225 00
134	Velours et tissus façon velours (à poil ras ou non); rubanerie, passementerie et boutons. Bonneterie	85 00 75 00
135	Mèches; sangles, courroies de transmission, tuyaux; filets et cordes, communs	24 00
ex 136	Lin et chanvre, bruts, rouis, broyés, peignés, blanchis et déchets de lin et de chanvre	Exempts.
137	Fils de lin et de chanvre; fils non spéciale- ment dénommés—	
(a)	Simple, écrus	1 50
(b)	Simple, blanchis, lessivés ou teints	5 00
(c)	Retors	18 00
138	Fils de jute—	
(a)	Simple, écrus	1 50
(b)	Retors, blanchis, lessivés ou teints	5 00
139	Tissus de lin et de chanvre— Toile d'emballage grise, c'est-à-dire, tissu grossier, uni, même simplement croisé, mais non façonné, de chanvre ou de lin, ne contenant pas plus de 5 fils en chaîne dans l'espace de 5 millim.; sacs confec- tionnés avec la dite toile	6 00
	<i>Observation.</i> —Les sacs en toile d'em- ballage grise, marqués et ayant	

Numéros du Tarif Général Austro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
	servi, qui sont importés pour être remplis de blé et sont réexportés pleins dans le délai de deux mois, moyennant l'observation des conditions et des mesures de contrôle à déterminer par voie d'ordonnance ..	Fl. k.
		Exempts.
140	Tissus de lin et de chanvre, non façonnés, écrus, contenant jusqu'à 20 fils de chaîne dans l'espace de 5 millim.	12 00
141	Tissus de lin et de chanvre, non façonnés, blanchis, teints, tissés en couleurs, imprimés—	
(a)	Jusqu'à 10 fils de chaîne dans l'espace de 5 millim.	20 00
(b)	De 11 à 20 fils de chaîne dans l'espace de 5 millim.	40 00
112	Tissus de lin et de chanvre, façonnés, contenant jusqu'à 20 fils de chaîne dans l'espace de 5 millim.—	
(a)	Écrus	40 00
(b)	Blanchis, teints, tissés en couleurs ou imprimés	80 00
(c)	Damassés, de toute sorte, même écrus ..	80 00
143	Tissus de lin et de chanvre, contenant plus de 20 fils de chaîne dans l'espace de 5 millim.	80 00
144	Batiste; gaze, linons et autres tissus légers ..	120 00
146	Dentelles et guipures	300 00
	Broderies	200 00
ex 147	Passementerie, boutons, rubanerie, et bonneterie	80 00
	Tissus de jute—	
148	Toile à sac et d'emballage de jute, écrue, non blanchie, non teinte, non façonnée, même simplement croisée, ne contenant pas plus de 5 fils de chaîne dans l'espace de 5 millim., et sacs confectionnés avec la dite toile	6 00
	Observation.—Les sacs en jute, marqués et ayant servi, qui sont importés pour être remplis de blé, et sont réexportés pleins dans le délai de deux mois, moyennant l'observation des conditions et des mesures à déterminer par voie d'ordonnance ..	
149	Etoffes pour meubles, pour habillements et pour tenture; tissus de toute sorte, en jute, combinés avec d'autres matières textiles végétales, y compris le coton, en tant que le jute domine dans le nombre des fils; même tissus similaires en jute, brodés ou combinés avec des fils métalliques	Exempts.
		40 00

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k.
150	Tissus de jute (<i>suite</i>)— Tissus de jute non spécialement dénommés; tapis de pied et pour voiture, tapis destinés à garnir les corridors ou les escaliers, de jute ou d'autres matières textiles végétales non spécialement dé- nommées, même blanchis, teints, im- primés, façonnés	12 00
151	Cordages—	
(a)	Cordes, cordages, câbles, même blanchis, goudronnés.. .. .	5 00
ex (b)	Ficelles	18 00
152	Laine, brute, lavée, peignée, teinte, blanchie, moulue, et déchets de laine.. .. .	Exempts.
154	Fils de laine ou de poils, et fils de vigogne—	
ex (b)	Fils de mohair, d'alpaca (même mottled alpaca) et genappes; tous ces fils simples ou doubles, écrus, importés par des bureaux de douane spécialement auto- risés	1 50
(c)	Fils non spécialement dénommés, écrus, simples—	
	1. Jusqu'au No. 45 métrique	8 00
	2. Au-dessus du No. 45 métrique	10 00
(d)	Fils non spécialement dénommés, écrus, doubles, ou retors en plusieurs bouts—	
	1. Jusqu'au No. 45 métrique	12 00
	2. Au-dessus du No. 45 métrique	14 00
(e)	Fils non spécialement dénommés, blanchis, teints, imprimés, simples—	
	1. Jusqu'au No. 45 métrique	12 00
	2. Au-dessus du No. 45 métrique	14 00
(f)	Fils non spécialement dénommés, blanchis, teints, imprimés, doubles, ou retors en plusieurs bouts—	
	1. Jusqu'au No. 45 métrique	16 00
	2. Au-dessus du No. 45 métrique	16 00
156	Tapis de pied—	
(b)	Autres, même imprimés	50 00
158	Tissus de laine, non spécialement dé- nommés—	
(a)	Pesant par mètre carré plus de 500 grammes.. .. .	50 00
(b)	Pesant par mètre carré 500 grammes jusqu'à 200 grammes	80 00
(c)	Pesant par mètre carré 200 grammes ou moins, même imprimés	110 00
159	Velours et tissus façon velours (à poils ras ou non); rubanerie, passementerie, boutons, et bonneterie.. .. .	85 00
160	Tissus de laine imprimés (à l'exception de ceux qui sont dénommés sous les Nos. 156 b, 158 c, et 159).. .. .	80 00

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 l
162 (b)	Feutre autre et ouvrages en feutre, non imprimés	Fl. k 50 0
163	Soie en cocons, déchets de soie, non filés ..	Exemp
165	Soie dévidée ou filée, même retorse—	Exemp
166 (a)	Écrue	Exemp
166 (a)	Bourre de soie (déchets de soie filés), même retorse—	Exemp
168	Écrue ou blanchie	Exemp
168	Tissus de soie, brodés ou mélangés de fils métalliques; tulle, gazes; blondes, dentelles (fichus de dentelles)	500 0
169	Articles de garniture confectionnés de cordons, de cordonnets, de chenilles, et d'autres passements similaires, de soie ou de demi-soie	400 0
169	Tissus de soie pure, c'est-à-dire, de soie ou de bourre de soie—	
(a)	Boutons et passementerie	300 0
(b)	Tissus de soie pure, unis et armures ..	200 0
	Autres tissus de soie pure	400 0
170	Tissus de demi-soie, c'est-à-dire, tous les tissus non dénommés sous le No. 168, qui contiennent, outre la soie ou la bourre de soie, d'autres matières textiles, savoir—	
(a)	Velours, et rubans de velours	300 0
(b)	Autres tissus de demi-soie	225 0
	Observations—	
	1. Tissus très grossiers en fils écrus de déchets de soie, ayant l'apparence de toile d'emballage, grise, et servant comme draps à presser, torchons pour nettoyer, &c., même combinés avec quelques fils teints..	24 0
	2. Il n'est pas tenu compte de la soie dans les tissus formés de fils d'autres matières textiles où il entre de la soie, sans recouvrir ces fils, ou bien sans être mélangée avec eux sur toute leur longueur.	
174	Chapeaux pour hommes, en feutre, même garnis	90 0
ex 175	Chapeaux de paille ou de copeau, de jonc, de liber, de roseau, d'os de baleine, de feuilles de palmier—	
(a)	Non garnis	0 10
(b)	Garnis	0 20
	Chapeaux de dames, en feutre, garnis ..	0 40
(c)	Chapeaux de dames, en feutre, parés ..	0 40
ex 176	Manteaux pour dames, et mantelets de toute forme pour dames, de tissus de laine, avec accessoires (doublure, parure, et similaires)	

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	de tissus de soie compris dans les Nos. 168, 169, et 170	Fl. k.
	Le linge, à l'exception du linge de luxe (Putzwäsche), est traité d'après la matière dominante qui le compose, plus une surtaxe de 40 pour cent.	250 00
ex 177 (a)	Balais de blé sarrasin (saggina), emmanchés ou non	1 50
(b)	Brosses communes, balais et pinceaux grossiers, c'est-à-dire, en soie de porc, en paille de riz, en piassava, et autres matières animales ou végétales, même montés en bois ou en fer, non teints, non polis, non laqués, autres	8 00
178	Cribles en bois, achevés, avec fond en bois tressé ou en fil de fer; fonds de cribles en bois	8 00
ex 179	Pinceaux fins en soie de porc apprêtée (blanchie, polie, &c.), ou en poils (Fischpinsel), ainsi que pinceaux de fils, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en cuir, en os, en métaux, ou dans la mercerie, acquittant des droits plus élevés	20 00
181	Tapis de pied et nattes, en paille, liber, jonc, fibres de coco, graminées, varech, roseau, copeau, rotin, racine, et similaires—	
(a)	Non teints	3 00
(b)	Teints	5 00
ex 183	Tresses de paille (en forme de rubans de toute sorte), non combinées avec d'autres matières	2 00
	Tresses de copeau, pour fonds de crible, chapeaux, nattes, &c.—	
	(1.) Non teintes	0 50
	(2.) Teintes	5 00
185	Pâte de papier, blanchie ou non blanchie—	
(a)	De chiffons (demi-pâte)	Exempte.
(b)	De bois, de paille, de sparte, et d'autres fibres végétales similaires	0 50
186	Papier buvard gris, papier d'emballage rude, non teint	1 50
	Carton goudronné et carton-pierre, carton de pâte de paille	1 00
	Cartons ordinaires, à l'exception des cartons ci-dessus dénommés	0 50
187	Papier d'emballage, lissé, teint, laqué, goudronné	1 50
ex 188	Carton à catir, carton brillant, carton cuir	3 00
189	Papier non collé commun (grossier gris, mi-blanc, et de couleur); papier non collé à imprimer, de toute sorte	3 00

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190	Papier non spécialement dénommé	3 00
191	Papier lithographie, imprimé ou réglé, papier ajusté pour devises, étiquettes, lettres de voiture, factures, et similaires; papier à dessiner; papier à calquer, papier albuminé, papier gélatiné, papier-parchemin, papier à estampes, papier peint; carton à peindre	5 00
192 (a)	Papier doré ou argenté, et papier orné de dessin en or ou argent (vrai ou faux, même bronzé); papier pressé ou découpé à jour à l'emporte-pièce; papier en bandes des espèces ci-dessus; papier et carton recouvert de toile (même de toile de coton).	10 00
(b)	Papier de tenture	18 00
193 (a)	Objets moulés en carton-pierre, en asphalte, ou matières similaires, ni peints, ni vernis, même combinés avec le bois ou le fer ..	2 00
194	Ouvrages en papier, c'est-à-dire, ouvrages en papier et en carton, en pâte de papier ou en pâte de bois, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas soit dans les articles repris au No. 195, soit dans les ouvrages en caoutchouc, en cuir, en métal, ou dans la mercerie, acquittant des droits plus élevés; doublure de chapeaux en papier, même recouverte de tissus	12 00
195	Papeterie de luxe; cartonnages fins; étiquettes et vignettes de différentes couleurs (chromolithographies); jouets d'enfants; lingerie en papier; reliures mobiles, recouvertes de toile (même de toile de coton); tous ces ouvrages, même en combinaison avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages de cuir ou dans la mercerie plus fortement taxés ..	18 00
200	Tuyaux et courroies de transmission de toute sorte, en caoutchouc ou avec caoutchouc, même avec intercalation de tissus ou de fils métalliques	20 00
203	Ouvrages en caoutchouc mou, autres que ceux repris aux Nos. 200, 201, et 202 ..	25 00
	Observation.—Plaques et bandes de caoutchouc mou, non vulcanisé ..	10 00
ex 206	Elastiques pour chaussures, avec fils de caoutchouc collés	50 00
	Autres tissus élastiques	70 00
207	Ouvrages en caoutchouc durci	40 00
	Les ouvrages repris aux Nos. 203, 206, et 207, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas	

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	dans les ouvrages en cuir, en métal, ou dans la mercerie plus fortement taxés.	
211	Toile cirée non spécialement dénommée, y compris la mousseline cirée; toile de reliure.. ..	25 00
215	Cuir verni au vernis fin, cuir de Russie, cuir de peau de crocodile, cuir de phoque, cuir de porc, vrais ou imités, teints; peaux teintes en noir pour gants	9 00
	Cuir fin autre, c'est-à-dire, cuir noir, excepté les peaux de gros bétail et de cheval dé- nommées au No. 213; peaux pour gants; cordouan, maroquin, suffian, ainsi que le cuir teint non dénommé dans l'alinéa pré- cédent, tout cuir bronzé, cuir avec orne- ments pressés; parchemin	18 00
217	Ouvrages en cuir fin, c'est-à-dire, ouvrages en peau mégie ou chamoisée, en parchemin ou en cuir fin dénommé au No. 215, en toile cirée ou en taffetas ciré non spéciale- ment dénommés; sellerie, bourrellerie, et galnerie en tissus dénommés au No. 216, blanchis, teints, ou en étoffes pour tapis de pied	32 50
	Les articles dénommés sous le No. 217, même combinés avec d'autres ma- tières, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en métal, ou dans la mercerie, acquittant des taxes plus élevées.	
218	Cordonnerie de toute sorte en cuir, ou dans laquelle entre la cuir, même combinée avec de tissus, de la bonneterie, ou d'autres matières, en tant qu'elle ne rentre pas dans la mercerie	32 50
ex 219	Gants de peau, même simplement découpés ou en combinaison avec des matières tex- tiles	50 00
220	Pelleterie apprêtée, non confectionnée—	
(a)	En peaux communes	6 00
(b)	En peaux fines	50 00
221	Pelleterie confectionnée—	
(a)	En peaux communes	60 00
(b)	En peaux fines	150 00
	Observation.—Sont traitées comme pelle- terie confectionnée en peau fine: les effets d'habillement, autres qu'en soie, et les gants de peau, recouverts, doublés, ou bordés en pelleterie fine.	

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222	Ouvrages en bois tout-à-fait ordinaires, c'est-à-dire, ouvrages grossiers de tonnelier, de tourneur, et de menuisier; ouvrages en bois et ouvrages de charonnage simplement rabotés; machines grossières (y compris les tours, calandres, moulins, presses, rouets, métiers); balais de ramilles; outils de labourage et de jardinage, ustensiles de cuisine—	1
(a)	Non peints, non passés au mordant, non vernis, non laqués, non polis, non combinés avec d'autres matières	
(b)	Bruts, mais avec ferrures ou autrement combinés avec du fer ou d'autres métaux communs	
(c)	Peints, passés au mordant, vernis, laqués, polis, ou avec les combinaisons indiquées au No. 223 (b) du Tarif Général	
224	Bobines de bois peintes	
	Ouvrages en bois, fins, c'est-à-dire, ouvrages fins de tourneur et de sculpteur; ouvrages en bois bronzés; ouvrages en bois dorés, argentés, ou avec peintures fines; ouvrages de toute sorte en bois, non spécialement dénommés; ouvrages dans d'autres matières végétales à tailler	1
	Bandes de bois et cadres bronzés, dorés, ou argentés	1
	Meubles en bois courbés, avec des parties ornementées par pression, et parties de meubles ornementées par pression (sièges, &c., de ce genre)	
225	Ouvrages en bois, avec incrustations fines (façon Boule, marqueterie); mètres de poche articulés	3
<i>ex 225 bis</i>	Ouvrages de vannerie—	
(a)	Ordinaires (c'est-à-dire, paniers communs pour emballage et pour transport; paniers de ménage et de coche, nasses et similaires), non peints, ni passés au mordant, ni vernissés, ni laqués, ni combinés avec d'autres matières	
(b)	Fins, ne rentrant pas dans la mercerie	2
226	Feuilles de placage non marquetées; parquets et parties de parquets—	
(a)	Bruts	
(b)	Passés au mordant, peints, polis.. ..	
229	Jouets d'enfants, en bois—	
(a)	Grossiers, simplement rabotés, taillés ou tournés, bruts	
(b)	Autres	1

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(b)	Boutons d'os ou de corne	25 00
	Morceaux d'os de corne et similaires, ainsi que des matières désignées au No. 310, préparés pour un complément de travail ..	20 00
	<i>Observation au No. 230.</i> —Les articles repris aux Nos. 224, 225, et 229 (b), même en combinaison avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages de caoutchouc, de cuir, de métal ou dans la mercerie taxés plus fortement.	
	Verre en masse ; pâte d'émail et de glaçure en masse	1 50
	Verre creux, commun, c'est-à-dire, non taillé, sans dessins, non dépoli, non pressé—	
(a)	De couleur naturelle, mais non blanc ..	1 50
(b)	Blanc (transparent)	3 00
	Verre creux, blanc (transparent), taillé, avec dessins, pressé, dépoli, gravé à l'eau forte ou autrement ; verre blanc massif, non spécialement dénommé	6 00
	Verre à glace, brut, non poli ; plaques en verre coulé, brutes, cannelées ; tuiles en verre pour toitures	1 50
	Glaces encadrées	12 00
	Verre d'optique, savoir : flintglass, crown glass, verre au zinc et au borax, bruts, non taillés en lentilles, pressés en disques, en plaques ou en forme de lentilles, même polis en parties	1 50
	Verres de montre, verre de lunettes et autres verres d'optique, apprêtés ou taillés ..	50 00
	Bâtons, disques et tubes de verre sans dis- tinction de couleur (tels qu'ils servent à la fabrication des perles artificielles, des ouvrages à la lampe d'émailleur et des boutons)	1 50
	Pendeloques massives pour lustres, boutons de verre (avec ou sans œillets), coraux factices en verre, perles de verre, émail de verre, larmes de verre, verre filé, tous ces articles même de couleur	2 00
(a)	Le verre pour fenêtres dit Butzenscheiben ..	6 00
		poids brut
(b)	Verre à vitre et verre en feuilles, de couleur	12 00
(c)	Verre de couleur (à l'exception de celui repris au No. 242 (b) et des articles dénommés aux Nos. 240 et 241).. ..	7 50
(d)	Disques, boutons (avec ou sans œillets), perles, émail et larmes de verre, peints, dorés ou argentés	7 50

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242 (<i>suite</i>)— (<i>e</i>)	Verre peint, doré ou argenté, à l'exception des articles désignés ci-avant sous la lettre (<i>d</i>) ; vitrifications taillées à pierres fausses, non montées
243	Verreries et ouvrages en émail, non spécialement dénommés ou combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en cuir, en métal ou dans la mercerie, taxés à des droits plus élevés
ex 244	Les plaques en pierre, dites de Kehlheim, rudes, non polies
ex 244 bis	Dalles de marbre ou d'albâtre, non lissées ..
(a)	Ouvrages non spécialement dénommés, en albâtre, marbre, porphyre, granit, syénite et autres pierres dures similaires— Ouvrages de tailleur de pierre en marbre et albâtre, grossiers (c'est-à-dire, montants de porte et de croisées, colonnes et parties de colonnes, conduits et tuyaux, auges et similaires), unis, non lissés
(b)	Autres ouvrages en marbre et albâtre, non lissés
(c)	Ouvrages en marbre et en albâtre, lissés ; même dalles de ces pierres, lissés .. Ouvrages en porphyre, granit, syénite et autres pierres dures similaires, lissés ; même dalles de ces pierres, lissés ..
244 ter	Ouvrages non spécialement dénommés en pierres autres que celles désignées sous le No. 244 bis—
(a)	Ouvrages de tailleur de pierre, grossiers, unis, non polis
245 (b)	Ardoises pour toiture et autres ardoises en feuilles
ex 245 (c)	Tables d'ardoise destinées à l'écriture ou au dessin, polies, noircies, réglées, nues ou contenues dans un cadre de bois brut ..
245 bis (a)	Ciment
ex 246	Pierres de touche et à aiguiser, naturelles, sans combinaison ; pierres meulières, même avec des cercles de fer ou des accessoires en métal ; pierres lithographiques ..
ex 246 bis	Terres et pierres teintées artificiellement, même terres colorantes, nuancées artificiellement ; pierres à aiguiser artificielles, pierre ponce, naturelles ou factices, ajustées pour l'usage, même en combinaison avec du bois ou du fer, non vernies, ni polies ..

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247	Ouvrages en pierre, fins, c'est-à-dire, articles de luxe (presse-papiers, chandeliers, coupes, encriers, et semblables petits objets de fantaisie; statues, bustes, figures d'animaux et autres ouvrages plastiques du poids de 5 kilog. ou moins); ouvrages combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans les ouvrages de caoutchouc, de cuir, de métal ou dans la mercerie, acquittant des droits plus élevés ..	15 00
ex 248	Coraux naturels et factices, ouvrés, non montés	24 00
249	Tuiles et briques ordinaires et tuyaux en argile, non vernissés	Exempt.
240 bis	Tuiles et briques vernissées	Exempt.
	Tuile cannelées	0 50
250	Ouvrages en terre réfractaire, non spécialement dénommés—	
(a)	Briques de forme ordinaire, pesant chacune jusqu'à 5 kilog. inclusivement	0 25
(b)	Autres	0 75
251	Matériaux de pavage et tuyaux en grès commun, de même les tuyaux en terre argileuse, vernissés	0 50
251 bis	Cornues, creuses, récipients pour fabriques (en plombagine, en terre réfractaire ou en grès commun)	1 00
ex 252 (b)	Ouvrages communs en terre argileuse ordinaire	0 50
ex 253	Ornements architecturaux (même en terre cuite), vernissés ou non; poêles ordinaires et parties de poêles ordinaires; dalles de revêtement pour murailles et pour carrelage, non vernissés, à l'exception de celles dénommées ci-après	0 50
	Dalles de revêtement pour murailles et carrelage avec dessins produits par la compression de masses de terres argileuses de couleurs variées, non vernissées	1 50
254	Poterie non spécialement dénommée—	
(a)	Unicolore ou blanche	4 00
(b)	De deux ou de plusieurs couleurs, lissée, peinte, imprimée, dorée, argentée	8 00
255	Porcelaine—	
(a)	Blanche	5 00
(b)	De couleur, lissée, peinte, imprimée, dorée, argentée	10 00
256	Poterie combinée avec d'autres matières, en tant qu'elle ne rentre pas dans les articles de caoutchouc, de cuir, de métal, ou dans la mercerie, frappés d'un droit plus élevé ..	12 00

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257	Fonte brute ; ferraille, débris de fer et d'acier, pour la refonte ou la soudure .. <i>Observation.</i> —Pailles et limailles de fer	Ex
258	Fer en loupes ; lingots.. .. .	
259	Fer et acier en barres, forgés ou laminés—	
(a)	Non façonnés.. .. .	
	<i>Observation.</i> —Billetes de fer de fusion, dites Flusseisen-Zaggel, et billetes resuées en fer puddlé, dites Zaggel aus abgeschweissten Schweisseisen ..	
(b)	Façonnés	
260	Rails de chemin de fer.. .. .	
261	Tôles et plaques—	
(a)	D'une épaisseur de 1 millim. et plus ..	
(b)	D'une épaisseur de moins de 1 millim. jusqu'à '4 millim... .. .	
(c)	Au-dessous de '4 millim.	
(d)	Tôles et plaques dressées—	
	1. D'une épaisseur de 1 millim. et plus..	
	D'une épaisseur de moins de 1 millim. jusqu'à '4 millim	
	2. Au-dessous de '4 millim.	
(e)	Vernissées, cuivrées, étamées, zinguées, plombées, nickelées ; tôles et plaques polies—	
	1. D'une épaisseur de '4 millim. et plus..	
	2. Au-dessous de '4 millim.	
(f)	Avec dessins, moirées, laquées—	
	1. D'une épaisseur de '4 millim. et plus..	
	2. Au-dessous de '4 millim.	
261 bis	Fil de fer—	
(a)	D'une épaisseur de 1 '5 millim. et plus ..	
	<i>Observation.</i> —Fil de fer laminé, d'une épaisseur au-dessus de 4 millim. pour tréfileries, moyennant permis spécial et observation des conditions et des mesures de contrôle à déterminer par voie d'ordonnance	
(b)	D'une épaisseur de moins de '5 millim. jusqu'à '5 millim... .. .	
(c)	D'une épaisseur de moins de '5 millim. ..	
	<i>Observation.</i> —Fil de fer pour cardes, d'une épaisseur au-dessous de 1 '5 millim., pour fabriques de cardes, moyennant permis spécial et observation des conditions et des mesures de contrôle à déterminer par voie d'ordonnance.. .. .	

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261 bis (d)	Fil de fer (<i>suite</i>)— Vernissé, cuivré, étampé, zingué, plombé, nickelé— 1. D'une épaisseur de 1·5 millim. et plus.. .. . 2. D'une épaisseur de moins de 1·5 millim.	6 00 7 00
262 (a) (b) (c)	Ouvrages en fonte commune— Bruts, non travaillés Blanchis ou grossièrement peints; forés, ou sur quelques points seulement dépolis, tournés ou rabotés; ouvrages en fonte brute avec ornements, ne faisant pas partie du No. 270 Tuyaux de fonte commune non travaillée, recouverts d'asphalte Dépolis, tournés, rabotés, cuivrés, étamés, zingués, plombés, émaillés ou non, grossièrement peints Vaisselle en fonte émaillée Ce régime s'applique aux marchandises indiquées aux lettres (b) et (c), même lorsqu'il s'y trouve des parties de fer forgé servant uniquement à l'assemblage ou lorsqu'il y entre du bois.	2 00 4 00 2 00 8 00 6 50
263 (a) (b) (c)	Ouvrages communs en fer et acier, c'est-à- dire, en fonte malléable, en fonte d'acier, en fer forgé, ou en acier, en tant qu'ils ne sont pas repris aux numéros suivants— Noirs ou même blanchis Peints grossièrement Forés ou sur un petit nombre de points seulement, dépolis, tournés, rabotés ou taraudés (y compris écrous et boulons), même grossièrement peints.. .. . Dépolis, tournés, rabotés, cuivrés, étamés, zingués, plombés, ou non, grossière- ment peints Tous ces articles même combinés avec le bois ou la fonte.	4 00 4 00 5 00 8 00
264	Tuyaux en fer forgé, même avec pièces de raccordement.. .. . Faux, faucilles, même en combinaison avec du bois Clous (à l'exception des clous à ferrer et des clous sans tête, dits Zweeké); pointes en fil de fer	6 00 5 00 6 50
265	Tôle et plaques de fer noires en pièces forées ou creusées; ouvrages en tôle noire du No. 261 (a) et (b), non spécialement dé- nommés	5 50

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265 (suite)—	Ouvrages en tôle noire du No. 261 (c), non spécialement dénommés	6 00
265 bis	Chaudières forgées (y compris chaudières à vapeur)	7 50
265 ter	Ouvrages en tôle non spécialement dénommés, cuivrés, étamés, zingués, plombés, non grossièrement peints.. ..	12 00
266	Roues pour voitures de chemin de fer, achevées, même montées sur essieux ..	5 50
267	Bandes (charnières, verrous et semblables); ressorts pour voiture; fourches à foin et à fumier, du poids de 2 kilog. au moins par pièce; pioches, pelles; tous ces articles, noirs, blanchis ou dépolis sur un petit nombre de points, même combinés avec du bois	6 50
268	Cordes en fil de fer, brosses en fil de fer, fonds de crible; ouvrages grossiers en fil de fer; tous ces articles faits de fil de fer du No. 261 bis (a)	8 00
269	Scies noires; limes et râpes de 25 centim. ou plus d'entaille; vrilles, marteaux, haches, tenailles et similaires; filières à coussinets; fourches à foin et à fumier, autres que celles reprises au No. 267; balances et parties de balances; serrures, clefs, et autres parties de serrures; clous à ferrer, clous sans tête (dits Zwecke); vis de 5 millim. d'épaisseur au moins; tous ces articles en tant qu'ils ne rentrent pas dans un numéro du Tarif plus fortement taxé, même combinés avec du bois	10 00
269 bis	Scies blanches; limes et râpes de moins de 25 centim. d'entaille; fers de rabots et fermails, ciseaux à froid, alènes; couteaux et ciseaux grossiers pour usages agricoles et industriels (même pour machines); outils finis de toute sorte, au-dessous du poids de 500 grammes chaque; vis d'une épaisseur inférieure à 5 millim.; tous ces articles même combinés avec d'autres matières, en tant qu'ils ne sont pas repris au No. 271, ou aux ouvrages en caoutchouc, en cuir, en métal ou dans la mercerie, acquittant des droits plus élevés ..	15 00
270	Ouvrages fins en fonte, en fer et en acier— Fonte d'art et fonte d'ornement légère; parties détachées pour la coutellerie, brutes, non ouvrées (seulement fondues, pressées, forgées); ouvrages en fil de fer, non dénommés, y compris les cordes d'acier; ouvrages combinés avec d'autres matières; tous ces articles en tant qu'ils	

Dénomination des Marchandises.	Les 100 kilog.
<p>ne rentrent pas dans les Nos. 271 et 272, ou dans les ouvrages de caoutchouc, de cuir, de métal, ou dans la mercerie, plus fortement taxés</p> <p>Armes (à l'exception des armes à feu portatives) et pièces détachées d'armes</p> <p>Polis, laqués, nickelés, émaillés (à l'exception de la fonte commune émaillée, dénommée au No. 262 (c) ; fil de fer recouvert de fils de matières textiles ; peignes et dents de peigne de tisserand ; cartes de toutes sorte ; jouets d'enfant ; patins ; meubles rembourrés, recouverts ou avec ornements fins</p> <p>Coutellerie ; armes à feu portatives</p> <p>Plumes à écrire ; ressorts (à l'exception des ressorts pour horlogerie, de voiture et de meubles) ; épingles, crochets et aiguilles à tricoter, passelacets, agrafes, boucles, boutons, hameçons, dès à coudre et autres menus objets d'usage similaires ; aiguilles à coudre d'une longueur de 5 centim. et plus</p> <p>Aiguilles à coudre d'une longueur inférieure à 5 centim.</p> <p>Les articles compris sous les Nos. 271 et 272, en tant qu'ils ne rentrent pas dans les ouvrages en caoutchouc, en cuir, en métal ou dans la mercerie, acquittant des droits plus élevés.</p> <p>Plomb, et alliages de plomb—</p> <p>Brut, même vieux en morceaux, et débris..</p> <p>Fondu (chaudières, tuyaux, plaques, balles, plomb de chasse, et similaires) ; roulé, laminé, étiré (fil de plomb) ; caractères d'imprimerie, clichés</p> <p>Zinc—</p> <p>Brut, même vieux en morceaux, et débris..</p> <p>En barres, en plaques, en tôle</p> <p>En fils et en tuyaux ; zinc coulé grossièrement, sans autre main-d'œuvre, même combiné avec des ouvrages ordinaires de bois et avec des barres ou plaques de fer ; plaques et tôle creuses ou percées de trous</p> <p>Cuivre, nickel, régule d'antimoine, laiton, packfong, tombac, et autres métaux et alliages métalliques non spécialement dénommés—</p> <p>Bruts, même vieux en morceaux, et débris ; mercure</p>	<p>Fl. k.</p> <p>12 00</p> <p>25 00</p> <p>20 00</p> <p>45 00</p> <p>30 00</p> <p>50 00</p> <p>2 00</p> <p>5 00</p> <p>Exempt.</p> <p>1 50</p> <p>3 00</p> <p>Exempt.</p>

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les
276	<p>Cuivre, nickel, &c. (<i>suite</i>)—</p> <p>(b) Coulés en grosses pièces (c'est-à-dire, en cloches et en tuyaux, pesant plus de 5 kilog. par pièce, et en autres objets, pesant plus de 10 kilog. par pièce) ..</p> <p>(c) Étiré, laminé (en barres, en plaques, en planches); tôle et fil au-dessus d'une épaisseur de .5 millim. ..</p> <p>(d) Tôle et fils d'une épaisseur de .5 millim. et moins ..</p> <p>Plaques et tôle, creuses ou percées de trous ..</p> <p>(e) Tôle, planches et plaques de cuivre et de laiton, plaquées d'argent ..</p> <p>Fils de cuivre et de laiton plaqués d'argent; fil métallique cimenté (unechter leonischer Draht), même aplati, mais non autrement travaillé ..</p>	
279	Ouvrages en métal, fins, c'est-à-dire, non repris aux autres numéros, même combinés avec d'autres matières, en tant qu'ils ne rentrent pas dans le No. 280, ou dans les ouvrages de caoutchouc, de cuir, ou dans la mercerie, acquittant des droits plus élevés; câbles télégraphiques ..	
280	<p>Ouvrages en métaux de l'espèce la plus fine, c'est-à-dire, objets de luxe et d'autres ouvrages en packfong, argentan (aliénide et autres compositions de nickel similaires), en métal Anglais (Britannia), en bronze, en laiton, en tombac, ou en d'autres alliages similaires, finement travaillés (par exemple, ornementés, pressés, vernis, ou nickelés); articles d'aluminium ou de nickel; tous ces articles même en combinaison avec d'autres matières en tant qu'ils ne rentrent pas dans les ouvrages de cuir ou dans la mercerie, plus fortement taxés; bronze en poudre ..</p> <p>Jouets d'enfants; aiguilles, boucles, agrafes, boutons, dès à coudre et autres menus objets d'usage similaires; tous ces articles, même en combinaison avec d'autres matières, en tant qu'il ne rentrent pas dans les ouvrages de cuir ou dans la mercerie, acquittant des droits plus élevés ..</p>	
281	Tissus métalliques, fins, c'est-à-dire, contenant 20 fils de chaîne et plus dans l'espace de 2 centim., à l'exception des tissus métalliques dénommées ci-après ..	

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
281 (<i>suite</i>)—	Tissus métalliques contenant 20 fils de chaîne simple jusqu'à 40 inclusivement dans l'espace de 2 centim.; plumes à écrire; fil métallique surfilé de matières textiles ..	Fl. k. 35 00
<i>ex</i> 282	Locomobiles	8 00
283	Machines à coudre et à tricoter—	
(a)	Supports, même en parties séparées ..	6 00
(b)	Têtes; parties de têtes finies (à l'exception des aiguilles)	25 00
(c)	Partie des têtes, non finies, même en font brute: machines à coudre et à tricoter avec supports	15 00
284	Machines pour préparer et travailler les matières textiles; machines à filer; machines à retordre le fil—	
[(a)	Pour le filage de fils cardés, soit de coton, soit de laine, ou de leur déchets ..	4 25
(b)	Pour tout autre filage	3 00
284 <i>bis</i>	Métiers à tisser (même pour dentelles), et machines auxiliaires pour le tissage; métiers à bonneterie; charrués à vapeur ..	4 25
	Machines à rouleaux pour imprimer les tissus; machines à broder; machines à bouter les cardes (Kratzensetzmaschinen)..	3 00
	Toutes ces machines (Nos. 284 et 284 <i>bis</i>) lorsqu'elles sont importées en état complet (montées ou démontées).	
284 <i>ter.</i>	Appareils à distiller et réfrigérants pour distilleries, brasseries, &c.	10 00
284 <i>quat.</i>	Machines à battre le blé	7 00
286	Machines et appareils (non spécialement dénommés), en métaux communs (c'est-à-dire, contenant plus de 50 pour cent de métaux communs)	12 00
287	La machine pour la fabrication du papier, proprement dite, avec l'appareil à sécher; machines pour la réduction, la compression, et tout autre moulage des terres à cuire; machines pour la fabrication de pâtes farineuses; appareils à sécher les fruits et légumes; calandres de toute sorte, pesant 100 quintaux ou plus; métiers à cylindre et autres machines pour la meunerie; machines-outils pesant 200 quintaux ou plus, toutes ces machines, lorsqu'elles sont importées en état complet (montées ou démontées)	5 00
	Machines et appareils, non spécialement dénommés, autres	7 50
290	Voitures garnies de cuir ou rembourrées, pour le transport des personnes	La pièce. 75 00
	<i>Observation.</i> —Les traineaux acquittent les deux tiers du droit. .	

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 10
291	Wagons (y compris voitures de tramways)— Wagons pour le transport des marchan- dises	F
298	Instruments de précision pour usages scien- tifiques (d'astronomie, de mathématique, de physique, de chirurgie), sans distinction des matières dont ils sont composés ..	Ex
299	Instruments pour l'usage général—	Ex
er (a)	Lorgnettes de spectacle	12
(b)	Non spécialement dénommés Les articles désignés sous le No. 299 (a) et (b), en tant qu'ils ne rentrent pas dans la mercerie acquittant des droits plus élevés.	5
300	Instruments de musique—	F
(a)	Pianos, pianinos, harmoniums, et instru- ments à clavier similaires (à l'exception des orgues d'église)	2
(b)	Autres	1
304	Fourniture d'horlogerie	4
305	Horloges dites de la "Forêt Noir" (horloges ayant les montants, dans lesquels se trouve le mécanisme, en bois), de toute sorte, sans distinction des cages, en tant qu'elles ne rentrent pas dans la mercerie acquittant des droits plus élevés	4
	Autres horloges et mouvements d'horloge, non spécialement dénommées, en tant qu'ils ne rentrent pas dans la mercerie plus fortement taxée	10
307	Ouvrages en or et argent, joaillerie, et tous les ouvrages non spécialement dénommées, entièrement ou en partie en métaux pré- cieux, en perles fines ou fausses, en pierres précieuses montées; or et argent filés sur fils de matières textiles et les ouvrages qui en sont faits, ouvrages en fils d'or ou d'ar- gent; ouvrages en fils métalliques dorés ou argentés fins (Arbeiten aus echt ver- goldeten oder versilberten leonischen Drähten), ou en métaux dorés et argentés fins, filés sur fils de matières textiles (Arbeiten aus echt ver goldeten oder ver- silberten leonischen Gespinnsten)	30
	Ouvrages en coraux naturels ou factices, filigranes en or ou argent, ouvrages en lave montés en métaux précieux	20
309	Fils métalliques argentés, fins (versilberte leonische Drähte)	3
	Montures en acier pour lunettes	5

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k.
	Ouvrages non spécialement dénommés en métaux communs, dorés ou argentés fins ou plaqués d'or ou d'argent; fils métalliques dorés, fins (echt vergoldete leonische Drähte) et métaux dorés ou argentés fins, filés sur fils de matières textiles (echt vergoldete oder versilberte leonische Gespinnste); ouvrages en pierre demi-fine, même montés; perles fausses; dents artificielles; ouvrages de perruquier; ouvrages en fils métalliques cimentés (Arbeiten aus unechten leonischen Drähte) et en métaux cimentés filés sur fil de matières textiles (Arbeiten aus unechten leonischen Gespinnsten) montures pour lorgnettes de spectacle, pour lunettes d'approche, et pour lunettes (excepté les montures en acier pour lunettes)	100 00
310	Ouvrages entièrement ou en partie en ivoire, en nacre, en écaille, en ambre, en jais ..	100 00
311	Jouets d'enfants et autres ouvrages non spécialement dénommés, combinés—	
(a)	Avec soierie, dentelles, fleurs artificielles (No. 171), plumes de parure apprêtées	75 00
(b)	Avec tissus et bonneterie autres	50 00
ex 314	Métaux cimentés filés sur fils de matières textiles (Unechte leonische Gespinnste) ..	50 00
	Or et argent faux, battus en feuilles	40 00
	Les articles dénommés sous les Nos. 309, 310, 311, et 314 en tant qu'ils ne rentrent pas dans la mercerie acquittant des droits plus élevés ou qu'ils ne sont pas taxés séparément.	
316	Parapluies et parasols—	La pièce.
(a)	En soie ou demi-soie,	0 50
(b)	En d'autres étoffes	0 25
(c)	Garnies (de nœuds, de broderies, de volants et similaires)	0 70
ex 318	Acide borique, brut ou cristallisé; soufre brut ou raffiné; tartre brut ou raffiné; citrate et tartrate de chaux	
		Exempts. Les 100 kilog.
ex 320	Sulfate de fer	0 50
	Acide muriatique	0 30
ex 320 bis	Acide sulfurique, liquide, non fumant (dit Anglais)	0 50
321 (a)	Soude (c'est-à-dire, carbonate de soude simple) brute ou cristallisée; potasse (carbonate de potasse simple), à l'exception de celle désignée sous la lettre (c); sulfate de potasse (sel de duobus); bisulfate de potasse et de soude; glycérine (même lessive de glycérine)	0 80

Numéros du Tarif Général Austro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 100 kilog.
		Fl. k.
321 (<i>suite</i>)—		
(b)	Soude calcinée	1 20
(c)	Potasse contenant plus de 85 degrés de car- bonate de potasse	0 80
ex 322	Verre soluble	1 00
ex 322 bis	Litharge (litharge d'or et d'argent); sal- pêtre (nitrate de potasse): raffiné	2 00
323	Lessive pour blanchir; verdet	1 50
	Blanc de baryte (sulfate de baryte artificiel); mastics de toute sorte; carbonate d'am- moniaque	2 00
	Bicarbonat de soude et de potasse	3 00
	Borax raffiné	2 50
324	Soude caustique (hydrate de soude); sulfate de magnésie; blanc de zinc (oxyde de zinc blanc); cendres de zinc (oxyde de zinc gris); hydrate d'alumine en pâte	3 00
	Potasse caustique (hydrate de potasse); sulfite et hyposulfite de chaux; manganate et permanganate de potasse et de soude, bruts; sulfite et hyposulfite de soude; acide oxalique; oxalate de potasse (sel d'oseille); blanc de plomb; minium et massicot; hydrate d'alumine en morceaux ou en poudre	4 00
ex 324 bis	Pyrolignite de chaux et pyrolignite d'alumine (mordant d'alumine, liquide); cendres d'étain; chlorure d'étain et autres pré- parations d'étain	3 00
	Prussiate de potasse, jaune et rouge	4 00
	Pyrolignite de plomb; acétate de plomb (sel de Saturne)	5 00
	Chromate de potasse et de soude (jaune et rouge)	6 00
325 bis	Cirage	4 00
	Noirs préparés	5 00
ex 326	Colles de toute sorte; gélatine animale et végétale	4 00
327	Dextrine, léogomme et autres succédanés de la gomme non spécialement dénommés; colle de farine ou d'amidon, parement, colle de pâte et autres produits contenant de l'amidon pour l'apprêt et l'encollage	3 00
328	Amidon et farine d'amidon	6 00
330	Alizarine et autres matières tinctoriales dé- rivées du goudron, et matières tinctoriales organiques, préparées artificiellement	1 50
331	Chlorure de zinc, même liquide	2 00
	Acide tartrique; chlorate de potasse	6 00

Dénomination des Marchandises.	Les 100 kilog.
	Fl. k.
Autres produits et préparations chimiques non spécialement dénommés, y compris le sulfate de quinine	10 00
<i>Observation.</i> —Les dérivés de la distillation sèche du goudron de houille compris sous les Nos. 117, 322, 330, et 331, importés pour être employés dans la fabrication des couleurs provenant du goudron, moyennant permis spécial et observation des conditions et des mesures de contrôle à déterminer par voie d'ordonnance	
Cire à cacheter, pains à cacheter; ouvrages en gélatine; encre et encres en poudre ..	Exempts.
Crayons de plomb, crayons de pastel, avec ou sans gaine	10 00
Acide acétique concentré	18 00
Encre de Chine; fusain, craie à dessiner; couleurs de toute sorte en vessies, en tubes, sur coquilles, en pains et en boîtes.. ..	20 00
Vernis à la laque (avec addition de résine, de térébenthine, d'huiles minérales ou d'alcool)	24 00
Bougies en cire (flambeaux, bougies filées) ..	24 00
Allumettes en cire ou stéarine, boîtes comprises	12 00
Veilleuses avec flottant en liège, carton ou autres matières	3 00
Bougies et produits fabriqués avec la graisse, non spécialement dénommés, tels que produits fabriqués avec la stéarine, le blanc de baleine, l'huile de palme, la paraffine	15 00
Savons communs	9 00
Allumettes en bois	2 50
Pièces d'artifice; mèches (mèches d'artillerie et pour mines), à l'exception des mèches désignées ci-après	5 00
Mèches (mèches d'artillerie et pour mines), fabriquées sans poudre à tirer	24 00
Livres imprimés, y compris les calendriers, journaux et annonces, cartes (scientifiques), musique, papier écrit, actes, et manuscrits ..	15 00
Estampes sur papier, c'est-à-dire, gravures sur cuivre et sur acier, lithographies, gravures sur bois, photographies et similaires; chromotypies sur papier ou sur toile	Exempts.
<i>Observations aux Nos. 348 et 349.</i> —Sont traités d'après les Nos. 348 et 349 les livres, y compris ceux à estampes ou à images, &c., reliés, les cartes et estampes montées sur toile ou sur	

Numéros du Tarif Général Autro- Hongrois en vigueur au moment de la signature du Traité.	Dénomination des Marchandises.	Les 10
352	<p>carton. Lorsque les reliures, d'après leur composition, rentrent dans la mercerie, ces objets doivent payer comme la mercerie. Les reliures, portefeuilles, cartons et similaires, qui appartiennent visiblement aux livres, livraisons, images, &c., qui y sont placés ou encartés, et qui jouissent à leur entrée de la franchise des droits, sont également admis en franchise.</p> <p>Les impressions à l'encre noire et les chromotypies, y compris les feuilles d'images, produites en gros et dépourvues de valeur artistique, ne sont pas exclues de la tarification d'après le No. 349.</p> <p>Statues (même bustes et figures d'animaux), ainsi que bas et hauts-reliefs de pierres, en pièces dépassant 5 kilog., de même que statues, bustes et figures d'animaux en métal ou en bois, mais au moins de grandeur naturelle</p>	F
ex 353	Hyperphosphate (pour servir d'engrais) ..	Exe Ex

ANNEXE 1.

*Cartel de Douane.**

ART. 1^{er}. Chacune des Hautes Parties Contractantes s'oblige à dans les formes déterminées par les dispositions suivantes, à ce que les conventions aux Lois Douanières, ou à celles des monopoles d'État d'une Partie Contractante, soient prévenues, découverts et punies.

2. Chacune des Hautes Parties Contractantes obligera ses fonctionnaires chargés d'empêcher ou de dénoncer les contraventions aux Lois de Douane des monopoles d'État, dès qu'ils seront informés qu'une contravention susdits de l'autre Partie Contractante se prépare ou a déjà été commise dans le premier cas leur possible pour l'empêcher par tous les moyens portés, et dans les deux cas à la dénoncer à l'autorité compétente de leur pays.

3. Les Autorités des Finances d'une Partie devront faire connaître aux Autorités des Finances de l'autre les contraventions aux Lois de Douane des monopoles d'État qui leur auraient été signalées, et les renseigner sur les faits et détails y relatifs, en tant qu'elles auront pu les découvrir.

* See Protocol, page 647.

On entend, par Autorités des Finances, en Autriche-Hongrie les Directions des Districts des Finances, les Douanes principales, les Inspecteurs des Frontières ou des Finances, et les Commissaires de la Garde des Finances; et en Italie les Intendances des Finances, les Douanes principales, les Inspecteurs, et les Officiers de la Garde de Finance.

4. Les bureaux de perception des Hautes Parties Contractantes devront toujours laisser prendre connaissance aux employés supérieurs des finances, qui y seront autorisés par l'autre Partie, sur leur demande et dans le bureau même, des registres et autres documents se rapportant au mouvement commercial entre les deux États, ainsi qu'à la circulation et à l'entrepôt des marchandises soumises au contrôle spécial de la douane.

5. Les Hautes Parties Contractantes s'accordent réciproquement le droit de déléguer, auprès de leurs bureaux douaniers, des employés pour prendre connaissance des opérations de ces bureaux, en ce qui concerne la matière douanière et la surveillance de la frontière; il sera, dans ce but, accordé toute facilité aux dits employés.

Les Hautes Parties Contractantes se donneront réciproquement tous les éclaircissements désirables sur la comptabilité et la statistique des deux territoires douaniers.

6. Dans l'intention de prévenir et de découvrir les tentatives de contrebande, les autorités supérieures des finances, les employés de douane et des monopoles d'État, ainsi que les agents de la garde de finance des deux pays, s'aideront avec empressement, non seulement en se communiquant dans ce but, dans le plus court délai, leurs observations, mais en entretenant, les uns et les autres, des rapports continuels, afin de prendre, de concert, les mesures les plus propres pour obtenir le résultat en vue.

7.* Chacune des Hautes Parties Contractantes s'engage à empêcher que des provisions des marchandises, qui peuvent être considérées comme destinées à être frauduleusement introduites sur les territoires de l'autre Partie, soient accumulées près de la frontière, ou qu'elles y soient déposées, sans être soumises à des mesures de précaution suffisantes pour prévenir la contrebande.

Dans les districts-frontière il ne sera, en règle générale, permis d'établir des dépôts de marchandises étrangères, non nationalisées, que dans les lieux où se trouvent des bureaux de douane; dans ce cas l'autorité douanière mettra sous clef ces dépôts et les surveillera. Si, dans un cas spécial, il ne peut être procédé à la mise sous clef, on adoptera d'autres mesures de contrôle propres à atteindre, d'une manière aussi sur que possible, le but contemplé.

Les provisions de marchandises étrangères nationalisées et de marchandises indigènes ne pourront dépasser dans les districts-frontière les exigences du commerce licite, c'est-à-dire, du commerce proportionné à la consommation locale dans le propre pays. En cas de soupçon que les provisions de marchandises étrangères nationalisées ou de marchandises indigènes dépassent les exigences de la consommation locale, et qu'elles soient destinées à la contrebande, ces dépôts doivent être assujettis, en tant que les lois le permettent, à des contrôles douaniers spéciaux, afin de prévenir la contrebande.

8. Sur la demande des autorités des Finances ou Judiciaires de l'une des Hautes Parties Contractantes, celles de l'autre devront prendre ou provoquer, auprès des autorités compétentes de leur pays, les mesures nécessaires pour établir les faits et rassembler les preuves des actes de contrebande commis ou

* See Protocol, page 666.

tentées au détriment des droits de douane ou des monopoles d'État, et pour obtenir, selon les circonstances, la séquestration provisoire des marchandises.

Les autorités de chacune des Hautes Parties Contractantes devront déférer aux demandes de cette nature, comme s'il s'agissait de contraventions aux Lois de Douane et aux monopoles d'État de leur propre pays.

De même, les fonctionnaires de la Douane et des monopoles d'État, ainsi que les agents de la Garde de Finance de l'une des Hautes Parties Contractantes, pourront, sur requête adressée à l'autorité dont il relève par les autorités compétentes de l'autre Partie, être appelés à déposer, par devant l'autorité compétente de leur pays, sur les circonstances relatives à la contravention tentée ou commise sur le territoire de l'autre pays.

9. Les agents de la Garde de Finance des Hautes Parties Contractantes, faisant le service de surveillance sur les eaux du Lac de Garda, auront le droit de poursuivre, dans les eaux de l'autre Partie, jusqu'à une distance de 100 mètres de la côte, les contrebandiers qu'ils auront aperçus dans les eaux de leur propre pays, et de les arrêter, avec leur contrebande, dans le rayon ci-dessus fixé; ils sont autorisés à livrer les marchandises saisies, les moyens de transport et les contrebandiers au Bureau de Finance de leur propre pays, pour la procédure pénale relative.

10. Aucune des Hautes Parties Contractantes ne souffrira, sur son propre territoire, des associations ayant pour but la contrebande sur le territoire de l'autre Partie, ni reconnaître valables des contrats d'assurance pour contrebande.

Les Hautes Parties Contractantes s'engagent en outre, réciproquement, à faire surveiller sur leurs territoires respectifs les sujets appartenants à l'autre Partie notoirement adonnés à la contrebande.

11. Chacune des Hautes Parties Contractantes est tenue—

(a.) A ne point accorder le passage, dans les pays de l'autre Partie, de marchandises dont l'importation ou le transit y serait défendu, à moins qu'on ne fournisse la preuve qu'une autorisation particulière a été accordée par cet État;

(b.) A n'accorder la sortie des marchandises destinées pour l'autre pays, et y étant soumises à des droits d'importation, que dans la direction d'un bureau de douane correspondant, qui soit muni d'attributions suffisantes. Cette autorisation ne pourra être accordée qu'à la condition d'éviter tout retard non nécessaire et toute déviation de la route douanière allant d'un bureau à l'autre des deux États. Il est bien entendu, en même temps, que la sortie des marchandises ne pourra avoir lieu qu'à certaines heures, calculées de manière à ce que les marchandises arrivent au bureau correspondant pendant les heures réglementaires.

12. De même, chacune des Hautes Parties Contractantes sera obligée à ne pas libérer les cautions qui lui ont été fournies pour la sortie, de son propre territoire, des marchandises en transit, ou pour la réexportation des marchandises étrangères non nationalisées, ni à remettre ni à restituer les droits d'entrée ou de consommation pour les marchandises à leur sortie, s'il n'est pas prouvé, au moyen d'un certificat du bureau d'entrée de l'autre État, que les marchandises y ont été présentées et déclarées.

13. En ce qui concerne les dispositions contenues aux Articles 11, lit. (b), et 12, les Hautes Parties Contractantes fixeront, d'un commun accord, le nombre et les attributions des bureaux auxquels les marchandises devront être présentées à leur passage de la frontière commune, les heures auxquelles pourront avoir lieu l'expédition et le passage des marchandises, la manière dont elles auront à être accompagnées au bureau de l'autre pays, et finalement les

mesures particulières à prendre au sujet du commerce se faisant sur les chemins de fer.

14. Pour les contrebandes commises ou tentées en matière de douane ou de monopoles d'État, au détriment de l'autre Partie Contractante, c'est-à-dire, pour les contraventions aux défenses d'entrée, de sortie, ou de transit, et pour les fraudes des droits de douane ou des monopoles, chacune des Hautes Parties Contractantes soumettra les contrevenants, sur la demande d'une autorité compétente de l'autre Partie, aux peines édictées, par ses propres Lois de Douane ou des monopoles, pour les contraventions similaires ou analogues dans les cas suivants :—

(1.) Si l'inculpé est sujet de l'État qui doit le soumettre à la poursuite et à la peine ;

(2.) Si, n'étant pas sujet de cet État, il y avait, à l'époque de la contravention, sa demeure, bien que transitoire, et s'y laissait surprendre à ou après l'arrivée de la demande de poursuite.

On appliquera, toutefois, les peines édictées par les lois de l'autre État (réquérant) si elles étaient moins rigoureuses.

Si, par disposition de loi, la peine pécuniaire doit être fixée d'après la somme fraudée, on prendra pour base le tarif de l'État dont les Lois de Douane et de monopole ont été lésées.

15. Dans les procès à instruire, d'après l'Article 14, les rapports officiels des autorités ou fonctionnaires de l'autre État auront la même force de preuve qu'on attribue à ceux des autorités ou fonctionnaires du pays dans des cas semblables.

16. Les frais occasionnés par suite des procès à instruire, en vertu de l'Article 14, devront être remboursés par l'État dans l'intérêt duquel se fait la procédure, à moins qu'ils ne puissent être couverts par la valeur des objets saisis, ou acquittés par les contrevenants.

17.* Les sommes versées par l'inculpé, à l'occasion de poursuites faites d'après l'Article 14, ou réalisées par la vente des objets de la contravention, seront employées de manière à ce que les frais judiciaires soient remboursés en première ligne ; les droits soustraits à l'autre État viendront en seconde ligne et les peines pécuniaires en troisième.

Ces dernières resteront à la disposition de l'État dans lequel le procès a eu lieu.

18. On devra se désister du procès instruit en vertu de l'Article 14 aussitôt que l'autorité de l'État qui l'a provoqué en fera la demande, à moins qu'il n'ait été déjà rendu un arrêt définitif, c'est-à-dire, passé en chose jugée.

Dans ce cas seront également applicables les dispositions de l'Article 16 concernant les frais de procédure.

19. Les autorités administratives et judiciaires de chacune des Hautes Parties Contractantes devront, quant aux procès instruits dans l'autre pays, soit pour contravention aux Lois de Douane ou aux monopoles de ce même pays, soit en vertu de l'Article 14, sur la demande des autorités ou du Juge compétent :—

(1.) Interroger, en cas de besoin sous serment, les témoins et experts qui se trouvent dans le district de leur juridiction, et, au besoin, astreindre les premiers à rendre leur témoignage, à moins qu'il ne puisse être refusé d'après les lois du pays ;

(2.) Procéder d'office à des visites et en certifier les résultats ;

* See Protocol, page 666.

(3.) Faire intimer des citations et des arrêts aux inculpés qui sont dans le district de l'autorité requise, et qui ne seraient pas sujets à elle relève.

20. Les dispositions établies par le présent Cartel de Douane, morce par voie de terre, sont étendues, en tant qu'elles sont applicables par voie maritime.

21. Dans tous les ports de la Monarchie Austro-Hongroise où un Agent Consulaire du Royaume d'Italie, l'autorité douanière (cette dernière après avoir informé la douane du départ prochain) visera les connaissements des navires à voile de tout jauge et ceux à vapeur d'une jauge inférieure à 100 tonnes, de toute nationalité, dirigent vers un port Italien.

Dans les endroits où résident des Agents Consulaires Italiens, les connaissements dont il est question, sera gratuit pour les navires Autrichiens, et Hongrois.

22. On entend, dans le présent Cartel, pour lois de douane aux fins d'entrée, de sortie, et de transit, et pour autorités judiciaires celles dans les pays de l'une et de l'autre des Hautes Parties Contractantes, la poursuite et la punition des contraventions à leurs lois analogues.

ANNEXE 2.

ARTICLE ADDITIONNEL (*Trafic des Districts des*

AFIN de donner au trafic des districts des frontières les facilités qu'exigent les besoins du commerce jointes par les Hautes Parties Contractantes sont convenues de ce qui suit :

§ 1.—(a). L'Autriche-Hongrie s'engage à accorder à l'importation des fers ou débris de fer, introduits d'Italie dans les usines des districts Tyrol méridional, de Condino, Tione, et de la Vallée de Fiemme, y être ouvrés, la franchise de tous droits à l'entrée dans la quantité annuelle maximum de 3,000 quintaux métriques de fers ou débris de fer, et de 2,000 quintaux de fonte.

(b.) Le Gouvernement Italien, de son côté, accorde à l'exportation des fers ou débris de fer, provenant de l'affinage des vieux fers ou débris de fer et exportés de l'Italie dans la quantité maximum indiquée à l'article 1er, la franchise de tous droits à l'exportation et traités dans les susdites usines.

Pour chaque quintal métrique (100 kilog.) de fonte ou de fers exportés d'Italie, le Gouvernement Italien admettra, respectivement, à l'importation, en franchise :

Soit 75 kilog. de fer en barres, essieux bruts, cercles, charrue, et gros instruments tranchants, pour 20 kilog. de vieux fers et pour 80 kilog. de fonte ;

Soit 67 kilog. de petits instruments tranchants, pioches, haches, scies, et garnitures de portes et de casseroles (padellame), pour 25 kilog. de débris ou de vieux fers pour 75 kilog. de fonte ;

Soit, enfin, 72 kilog. de clouterie pour 100 kilog. de vieux fers ou débris exportés.

Le complément des quantités respectives susénoncées, pour former 100 kilog., représente les déchets de fabrication relatifs à chaque produit, à l'effet d'établir le décompte des droits de douane.

Dans le cas où l'on aurait employé, pour la fabrication des produits nommés sous (b), non seulement de la fonte ou des débris de fer importés de l'Italie, mais aussi du fer de provenance Austro-Hongroise, il sera tenu compte du rapport dans lequel les matières importées de l'Italie entrent dans le mélange.

Ce rapport sera, le cas échéant, constaté par les autorités douanières des Hautes Parties Contractantes pour chaque usine et pour chaque espèce de produits.

(c.) L'exportation et, respectivement, l'importation, d'Italie en Autriche-Hongrie, de la fonte et des débris, la rentrée, et, respectivement, la réexportation d'Autriche-Hongrie en Italie, des produits susmentionnés se fera par le même Bureau de Douane Italien et, respectivement, Autrichien, situé à la frontière de l'Italie et du Tyrol du sud, et sous le régime de l'admission temporaire et du cautionnement des droits d'entrée Austro-Hongrois.

(d.) La rentrée en Italie doit avoir lieu dans un terme de six mois. Le montant des droits crédités restera acquis à la douane Autrichienne pour toutes les quantités non réexportées dans ce terme. Ce terme pourra, dans des cas exceptionnels, être prolongé, par accord des Administrations Douanières, sur la demande de l'importateur.

Les Administrations Douanières s'entendront, avant la mise en vigueur du Traité, sur les mesures de détail pour assurer l'exécution des stipulations de ce paragraphe.

Les produits ci-après désignées, originaires du Val Vestino et entrant en Italie par la douane de Casello, accompagnées de certificats d'origine délivrés par les autorités compétentes, n'acquitteront, jusqu'à concurrence annuelle des quantités ci-dessous indiquées, que le 50 pour cent des droits Conventionnels Italiens, savoir : fromages (en dehors du brindza, dont le régime est réglé au Protocole Final II),* 25 quintaux ; beurre, 65 quintaux ; viande fraîche, 30 quintaux.

§ 2. Resteront libres de tout droit de douane et de timbre sur les reçus de la douane, à l'importation et à l'exportation, à travers les frontières Austro-Hongroise et Italienne, en Autriche-Hongrie et en Italie :

(a.) Toutes les quantités de marchandises dont la somme totale à prélever n'atteint pas le chiffre 2 kreuzers, valeur Autrichienne, ou 5 centimes d'un franc ;

* See § 52, page 661.

(b.) Herbes pour la nourriture du bétail, foin, paille, mousse pour emballage et calfatage; fourrages, joncs et ordinaires, plantes vivantes (plants et provins de vigne), céréales, herbes, plantes légumineuses, chanvre et lin non battus, pommes de terre, olives fraîches;

(c.) Ruches avec abeilles vivantes;

(d.) Sang de bestiaux;

(e.) Œufs de toute sorte;

(f.) Lait frais et lait caillé;

(g.) Charbons de bois et de terre, tourbe, et charbon de tourbe;

(h.) Pierres à bâtir et de taille, pierres à paver et meules, ordinaires à aiguiser, couteaux ordinaires pour faux et faucilles, ces pierres, soit taillées, soit non taillées, mais ni polies, ni en dalles; scories, cailloux, sable; chaux et plâtre, crus; argile, et, en général, toute sorte de terre ordinaire servant à fabriquer des briques, pots, pipes, et vases;

(i.) Briques;

(k.) Son, sansa (déchets d'olives pressées, entièrement tourteaux de colza, et autres déchets de fruits et de légumes oléagineux, cuits et pressés);

(l.) Cendre à lessive et cendre de houille, engrais, y compris le guano, lies, lavures, drêche, marc, balayures, et déchets de toute sorte; tessons d'objets en pierre ou en argile; lavures d'argent; limon;

(m.) Pain et farine, en quantité de 10 kilog. ou moins; légumes secs, en quantité de 10 kilog. ou moins; viande fraîche, en quantité de 4 kilog. ou moins; fromage, en quantité de 2 kilog. ou moins; beurre frais, en quantité de 2 kilog. ou moins.

§ 3. Seront exempts des droits de douane d'importation et d'exportation, et jouiront du libre passage en dehors des limites douanières, les bêtes de labour, les instruments agricoles, le matériel et les effets que les paysans, domiciliés aux extrêmes frontières, importeront ou exporteront, par la ligne douanière, pour leurs travaux agricoles, ou par suite de changement de leur domicile.

§ 4.* Les produits naturels, y compris le riz mondé, restant dans les propriétés des sujets des Hautes Parties Contractantes, et se trouvant séparées, par la ligne frontière Austro-Italienne, les habitations et fermes, seront exempts des droits d'entrée et de sortie à leur transport dans ces bâtiments (habitations ou fermes) pour le terme à compter de la saison des moissons jusqu'à la fin de Décembre.

§ 5. Les concessions contenues aux §§ 2 et 3 sont accordées par l'Autriche-Hongrie à tout le district-frontière, et en Italie.

* See Declaration, page 668.

habitants d'une zone, le long de la frontière, qui, sauf des exceptions locales motivées par les exigences du service douanier, ne sera pas inférieure à 7½ kilom.

Les Hautes Parties Contractantes s'entendront sur les mesures pour permettre, sauf l'observation des règles spéciales à établir pour chaque cas et pour les localités où on le jugera nécessaire, le libre passage, en dehors des routes douanières, des objets qui sont libres, en Autriche-Hongrie et en Italie, de droits de douane, tant à l'entrée qu'à la sortie.

Rome, le 6 Décembre, 1891.

(L.S.) RUDINI.

(L.S.) G. MALVANO.

(L.S.) N. MIRAGLIA.

(L.S.) B. STRINGHER.

(L.S.) A. MONZILLI.

(L.S.) v. BRUCK.

ANNEXE 3.

PROTOCOLE FINAL.

Au moment de procéder à la signature du Traité de Commerce et de Navigation conclu, à la date de ce jour, entre l'Italie et l'Autriche-Hongrie, les Plénipotentiaires soussignés ont fait les réserves et déclarations suivantes, qui auront à former partie intégrante du Traité même : —

I. En ce qui concerne le Traité de Commerce et de Navigation.

Ad Article I.—§ 1. Les stipulations de cet Article ne dérogent en rien aux lois, ordonnances, et règlements spéciaux, en matière de commerce, d'industrie, et de police, en vigueur dans les territoires de chacune des Hautes Parties Contractantes et applicables aux sujets de tout autre État.

§ 2. Le principe de traiter les sujets de l'autre Partie qui exercent un métier ou le commerce, absolument sur le même pied que les nationaux, quant au paiement des impôts, s'appliquera également à l'égard des Statuts de Corporations, ou autres Statuts locaux, là où il en existerait encore. L'application ne pourra, cependant, avoir lieu que lorsque toutes les conditions que les lois de chacune des Hautes Parties Contractantes attachent au droit de l'exercice de l'industrie auront été remplies.

§ 3. Les Sociétés anonymes et celles en commandite par actions

(y compris les Sociétés d'Assurance de tout genre), fondées sur le territoire de l'une des Hautes Parties Contractantes en vertu des lois respectives, pourront réciproquement exercer, sur le territoire de l'autre, tous les droits, y compris celui d'estimer en justice, en se conformant aux lois et prescriptions en vigueur sur cette matière.

Ad Article II.—§ 1. Pour jouir de l'immunité des impôts sur l'exercice d'une industrie, les voyageurs de commerce Italiens en Autriche-Hongrie, et les voyageurs de commerce Autrichiens et Hongrois en Italie, devront être munis d'une carte de légitimation industrielle dont le formulaire est ci-joint.

Ce document est valable pour le cours de l'année solaire pour laquelle il a été délivré.

§ 2. En ce qui regarde le commerce aux foires et marchés, les sujets de l'autre Haute Partie Contractante seront traités absolument sur le même pied que les propres nationaux, tant pour le droit de se rendre aux foires et marchés que pour les taxes à payer à raison de ce commerce.

Ad Article VI.—§ 1. D'après la réserve exprimée à l'Article VI, alinéa (b), les Hautes Parties Contractantes s'engagent, dans le but d'empêcher la propagation du phylloxéra, d'appliquer, à l'égard des importations réciproques, les mesures arrêtées par la Convention Internationale de Berne du 3 Novembre, 1881,* et par la Déclaration Additionnelle du 15 Avril, 1889.†

La réserve exprimée à l'Article VI, alinéa (b), s'étend également aux mesures prohibitives prises dans le but d'empêcher, dans l'intérêt de l'agriculture, la propagation d'insectes ou d'autres organismes nuisibles.

§ 2. Les Hautes Parties Contractantes se communiqueront, réciproquement, toutes les restrictions du trafic apportées pour cause de police sanitaire.

Les Hautes Parties Contractantes s'engagent à entrer en négociation, aussitôt que faire se pourra, sur une nouvelle Convention relative aux épizooties. En attendant la conclusion de cet Acte, il est entendu que la Convention sur les épizooties, conclue le 7 Décembre, 1887, entre l'Italie et l'Autriche-Hongrie, continuera à être en vigueur. Toutefois, chacune des Hautes Parties Contractantes se réserve la faculté de dénoncer de tout temps la dite Convention pendant la durée du présent Traité de Commerce et de Navigation. S'il est usé de cette faculté, cette Convention cessera dans ses effets six mois à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncée.

Ad Article VIII.—§ 1. Les lettres de voiture accompagnant les envois de marchandises, faits par les postes Autrichienne et Hon-

* Vol. LXXIII, page 323.

† Vol. LXXXI, page 1311.

groise, et portant l'estampille de l'office expéditeur, seront affranchies, en Italie, du droit de timbre, sauf réciprocité.

§ 2. Afin de motiver la demande du traitement de faveur, la déclaration des marchandises devra contenir l'indication de l'origine.

Les importateurs de marchandises Italiennes, Autrichiennes, ou Hongroises seront, en règle générale, réciproquement dispensés de l'obligation de produire des certificats d'origine. Toutefois, la production de certificats d'origine pourra exceptionnellement être exigée par une des Hautes Parties Contractantes pour le cas où elle aurait établi des droits différentiels d'après l'origine des marchandises, et que, selon la situation générale, tant par rapport aux droits douaniers qu'en ce qui concerne les conditions de transport, il deviendrait probable que des marchandises provenant d'un tiers État qui, dans le cas dont il s'agit, y serait exclu du régime de faveur, soient introduites des territoires de l'autre Haute Partie Contractante.

Les dits certificats pourront émaner de l'autorité locale du lieu d'exportation ou du bureau de douane d'expédition, soit à l'intérieur, soit à la frontière, ou bien d'un Agent Consulaire ; enfin ils pourront, au besoin, même être remplacés par la facture, si les Gouvernements respectifs le croient convenable.

§ 3. Les certificats d'origine et autres documents constatant l'origine des marchandises seront, soit délivrés, soit visés, en franchise de tout droit.

Ad Article X.—Il est convenu de fixer, d'un commun accord, par correspondance directe entre les Ministères des Hautes Parties Contractantes, les conditions et formalités sous lesquelles auront lieu les facilités accordées au commerce et au trafic en vertu de l'Article X. A cet égard les principes suivants serviront de guide :—

§ 1. Les objets pour lesquels l'exemption des droits de douane est demandée devront être déclarés aux bureaux douaniers par espèce et quantité, et devront être présentés à la visite.

§ 2. La faculté concernant l'exportation et l'importation temporaire du riz à moudre est admise seulement dans le cas où il s'agirait de riz récolté sur les propriétés traversées par la frontière. Cette faculté est subordonnée à l'autorisation des autorités de finance locale. Les Hautes Parties Contractantes se mettront d'accord pour fixer toutes les dispositions qui devront régler cette matière.

Le traitement douanier des objets exportés et réimportés, respectivement importés et réexportés, devra se faire par les mêmes bureaux douaniers, soit que ceux-ci se trouvent situés à la frontière, soit qu'ils soient à l'intérieur du pays.

Cette disposition ne s'applique pas aux objets destinés à être

verniss, brunis ou peints. Leur rentrée, en exemption de droits, peut avoir lieu par chaque bureau douanier du territoire où s'est effectuée l'expédition, pourvu que celui-ci soit muni d'attributions suffisantes. Pour les échantillons importés par les voyageurs de commerce on appliquera les formalités fixés au § 8.

§ 3. La réexportation et la réimportation pourront être limitées à des termes convenables et, en cas de leur non observation, on pourra procéder à la perception des droits légaux.

§ 4. Il est permis de demander une garantie des droits, soit par le dépôt de leur montant, soit d'une autre manière convenable.

§ 5. Les différences de poids résultant des opérations énumérées aux alinéas (c) et (d) de l'Article X seront prises en considération équitable.

Les différences peu importantes ne donneront lieu à aucun paiement de droits.

§ 6. Les Hautes Parties Contractantes pourvoiront à ce que le traitement douanier soit le moins onéreux possible.

§ 7. Il est entendu que les dispositions sur l'admission temporaire ne tendent qu'à faciliter l'exercice de l'industrie, et qu'en considération de cette raison il est réservé à chacune des Hautes Parties Contractantes le droit de fixer les mesures d'exécution et de contrôle nécessaires pour empêcher toute tentative de transgression frauduleuse du Tarif.

§ 8. Chacune des Hautes Parties Contractantes désignera, sur son territoire, les bureaux ouverts à l'importation et à l'exportation des échantillons importés par les voyageurs de commerce.

La réexportation pourra avoir lieu par un bureau autre que celui d'importation.

A l'importation on devra constater le montant des droits afférent à ces échantillons, montant qui devra, ou être déposé en espèces à la douane d'expédition, ou être dûment cautionné. Les timbres, plombs ou cachets, apposés aux échantillons par les autorités douanières de l'une des Hautes Parties Contractantes, seront reconnus comme suffisants par celles de l'autre Haute Partie. Seulement, dans le cas où ces échantillons seraient arrivés sans porter les marques d'identité susdites ou bien les marques ne présenteraient pas de garanties suffisantes aux yeux de l'Administration intéressée, ils pourront, si cela est possible sans les endommager, être marqués de façon à les reconnaître. Cette opération sera faite gratuitement.

Le bordereau qui sera dressé de ces échantillons, et dont les Hautes Parties Contractantes auront à déterminer la forme, devra contenir:—

(a.) L'énumération des échantillons importés, leur espèce, et les indications propres à faire reconnaître leur identité;

(b.) L'indication du droit afférent aux échantillons, ainsi que la mention que le montant des droits a été acquitté en espèces ou cautionné ;

(c.) L'indication de la manière dont les échantillons ont été marqués ;

(d.) La fixation du délai à l'expiration duquel le montant du droit payé d'avance sera définitivement acquis à la douane, ou, s'il a été cautionné, réalisé au moyen de la caution déposée, à moins que la preuve de la réexportation des échantillons, ou de leur mise en entrepôt, ne soit fournie.

Ce délai ne devra pas dépasser une année.

Lorsque, avant l'expiration du délai fixé (d), les échantillons seront présentés à un bureau compétent pour être réexportés ou mis en entrepôt, ce bureau devra s'assurer que les objets dont la réexportation doit avoir lieu sont identiquement les mêmes que ceux présentés à l'importation. Lorsqu'il n'y aura aucun doute à cet égard, le bureau constatera la réexportation ou la mise en entrepôt, et restituera le montant des droits déposés en espèces à l'entrée, ou prendra les mesures nécessaires pour décharger la caution.

§ 9. Afin de faciliter, le plus possible, le mouvement, à travers les frontières, du bétail destiné, soit au pâturage ou à l'hivernage, soit aux travaux agricoles, soit aux foires et marchés, les Hautes Parties Contractantes sont convenues des dispositions suivantes :—

(i.)—L'entrée du bétail conduit aux pâturages, ou aux travaux agricoles, peut se faire, le long de la ligne douanière, par chaque bureau-frontière de douane.

(ii.)—Si des circonstances locales rendaient trop onéreux aux propriétaires le passage du bétail destiné aux pâturages, ou aux travaux agricoles, à travers le bureau-frontière de douane, une déclaration préalable d'entrée et de sortie, faite auprès de ce bureau, sera reconnue suffisante ; les agents de la garde de finance contrôleront cependant l'entrée et la sortie, sur la base des déclarations fournies par le bureau-frontière douanier.

La garde de finance retournera ces déclarations au bureau-frontière douanier, après les avoir munies du certificat de la vérification faite.

(iii.)—Si le bureau-frontière douanier était situé à une distance trop grande du point d'entrée ou de sortie du bétail en question, ou s'il y manquait des communications suffisantes, et que, pour ces raisons, la déclaration mentionnée sous (ii) ne pouvait être fournie que difficilement, la remise des déclarations d'entrée et de sortie pourra se faire à l'agent de finance qui sera délégué, à cette fin, à la frontière, sur les lieux du passage du bétail, et qui tiendra le registre des admissions.

Les agents chargés par le bureau douanier Italien ou Autrichien de recueillir les déclarations d'entrée et de sortie, et de faire l'enquête dans un endroit situé au dehors de leur résidence, n'ont droit qu'aux frais de tournée fixes, ou aux indemnités qui sont prescrites par les règlements de service de leur pays, et ne seront payés qu'une seule fois, pour chaque journée, sans qu'on ait égard au nombre des déclarations ou du bétail.

Ces agents auront à remettre un reçu au porteur de la déclaration.

Si plusieurs propriétaires avaient réuni leur bétail pour le soumettre à l'examen commun, les susdits agents remettront également à un de ceux-ci le reçu en question.

(iv.) Le bétail qui passera la ligne douanière pour être mené aux pâturages ou à des travaux agricoles, et qui sera reconduit le jour même, ne sera pas soumis au régime douanier; des mesures de surveillance suffisantes seront, cependant, prises, afin d'empêcher les abus qui pourraient résulter de ce passage.

(v.) Il sera constaté, au retour à la frontière douanière, l'identité et le nombre des têtes de bétail. S'il résulterait de cet examen une différence dans la qualité des bêtes, il sera perçu, à la réexportation pour l'animal remplacé, et à la rentrée pour l'animal remplaçant, les droits prescrits d'entrée.

S'il y a une inégalité dans le nombre des têtes de bétail, on percevra les droits d'entrée, à la réexportation pour le manque, à la rentrée pour le surplus.

On ne percevra pas, cependant, de droits pour les animaux non représentés à la douane, si le manque a été légalement déclaré, et s'il est certifié par l'autorité qu'il est la suite d'accidents malheureux.

(vi.) Si la rentrée ou la réexportation étaient retardées au delà du terme fixé à l'occasion de la déclaration de sortie ou d'entrée, l'entrée suivrait le régime général douanier, pourvu que ces retards ne trouvent leur excuse dans des circonstances accidentelles, dûment certifiées par la commune.

(vii.) Les dispositions énumérées aux Nos. (i), (v), et (vi) s'appliquent également au bétail qui est conduit des districts-frontière aux marchés, ou qui passe la ligne-frontière pour l'hivernage.

(viii.) La franchise de droit accordée au bétail qui est conduit, à travers la ligne douanière, aux pâturages, travaux agricoles, marchés, ou à l'hivernage, s'applique également, dans une quantité proportionnelle, aux produits respectifs. En conséquence, resteront libres de droit—

(a.) Les petits mis bas par les vaches, chèvres, brebis, et juments conduites aux pâturages, travaux agricoles, marchés, et à l'hivernage; et cela pour autant de têtes qu'auront été notées de bêtes grosses

au moment du départ, en tenant compte du temps que ces dernières ont passé hors du district douanier ;

(b.) Le fromage et le beurre du bétail rentré des pâturages, ou de l'hivernage, seront libres, savoir, par chaque jour : fromage, par chaque vache, .29 kilog. ; par chaque chèvre, .058 kilog. ; par chaque brebis, .029 kilog. ; beurre, par chaque vache, .16 kilog. ; par chaque chèvre, .032 kilog.

Il est permis de rapporter en franchise de douane, mais dans un terme de quatre semaines à compter du jour de retour du bétail, le fromage et le beurre qui ont été produits jusqu'au jour de son retour des pâturages ou de l'hivernage passés dans le district douanier de l'autre pays.

(ix.) Les employés douaniers à la frontière et les agents de la garde de finance auront à faire observer aux personnes dirigeant le passage, au district-frontière voisin, du bétail conduit aux pâturages, travaux agricoles, marchés, et à l'hivernage, qu'elles ont à garder soigneusement le double du document faisant preuve de la déclaration ou de l'admission, ainsi que les reçus délivrés pour l'acquittement de la caution des droits crédités, ces documents devant être reproduits au retour du bétail. Les fonctionnaires susdits auront aussi soin d'informer ces personnes des conséquences de procédés frauduleux.

(x.) Les certificats à présenter, soit sur l'état sanitaire du bétail, soit sur l'exemption des districts-frontière de toute maladie contagieuse d'animaux, ne seront exigés qu'en original, et non en traduction.

Ad Article XI.—Les facilités stipulées à l'Article XI sont soumises aux conditions suivantes :—

(a.) Les marchandises devront être déclarées, au bureau d'entrée, pour passage ultérieur moyennant un certificat de caution, et seront accompagnées par une attestation officielle qui prouve le fuit et la manière avec lesquelles elles ont été scellées par la douane au lieu d'expédition ;

(b.) La visite aura à constater si ces scellés sont restés intacts et présentent les garanties suffisantes ;

(c.) La déclaration devra se faire conformément aux règlements, en évitant toute irrégularité ou omission qui rendrait nécessaire une visite spéciale, ou qui laisserait soupçonner une tentative de fraude.

On pourra se passer de décharger et de peser les marchandises, dès qu'il ressort pleinement, sans leur déchargement, que les scellés apposés par l'autre Partie se trouvent intacts et présentent des garanties suffisantes.

Ad Article XII.—§ 1. La perception, en Italie, de la taxe intérieure sur les alcools, de même que celle de la surtaxe de douane,

auront lieu d'après la quantité réelle et la richesse alcoolique du produit.

A cet effet, dans les fabriques d'alcool indigène traitant l'amidon et autres substances amylacées (telles que céréales, riz, farine, pommes de terre), les résidus de la fabrication ou de la raffinerie du sucre (mélasses, &c.), les betteraves et les topinambours, la constatation de la quantité de la force alcoolique du produit aura lieu, soit au moyen de l'exercice (c'est-à-dire, de la constatation du produit par la surveillance permanente), soit par un instrument spécial dont la convenance technique et financière ait été reconnue, soit enfin au moyen de ces deux systèmes combinés ensemble.

Il est, par suite, entendu que l'Italie se réserve entière liberté à l'égard du système de perception de la taxe intérieure pour les fabriques qui ne traitent que le marc de raisin, les fruits, les racines, et le vin.

§ 2. La surtaxe que les bières en fûts ou bouteilles acquittent, à titre d'équivalent de l'impôt intérieur, sera perçue, au choix de l'importateur, soit sur la base de la richesse saccharine ou alcoolique constatée, soit sur celle de 16 degrés au maximum.

§ 3. A l'entrée en Italie, les sucres bruts étrangers, qu'ils soient destinés aux raffineries ou non, acquitteront des droits s'élevant au moins aux quatre cinquièmes des droits grevant le sucre raffiné étranger.

La protection dont jouit à présent la production du sucre indigène, soit brut, soit raffiné, ne pourra pas être augmentée.

Pendant la durée du régime actuel d'impôt les sucres bruts colorés artificiellement payeront les droits du sucre raffiné.

Si, pendant la durée du présent Traité, le Gouvernement Italien se décidait à substituer, dans son régime douanier, le système saccharimétrique à celui des types de Hollande, les dispositions concernant le nouveau régime ne seraient appliquées qu'après les avoir communiquées à l'autre Haute Partie Contractante et les avoir adoptées de commun accord.

Ad Article XVI.—Les Hautes Parties Contractantes conviennent d'entrer, aussitôt que faire se pourra, en négociation dans le but de régler, de commun accord et par un arrangement spécial, la protection mutuelle des marques de fabrique et de commerce, des dessins industriels, des modèles, ainsi que des brevets d'invention.

Ad Articles XVII et XVIII.—§ 1. L'assimilation convenue des navires et de leur cargaison, dans les ports des Hautes Parties Contractantes, ne s'étend pas—

(a.) Aux primes qui sont concédées, ou seront concédées à l'avenir, aux navires nouvellement construits, en tant qu'elles ne consistent pas dans l'exemption des droits de port ou de douane, ou dans la réduction de ces droits ;

(b.) Aux privilèges des Sociétés appelées "Yacht Club."

§ 2. Tout en maintenant expressément, en principe, pour les sujets du pays le droit exclusif de la pêche le long des côtes, il sera, de part et d'autre, eu égard aux circonstances particulières locales, et, de la part de l'Autriche-Hongrie, eu égard de plus aux concessions faites en retour par l'Italie, réciproquement accordé, par pure exception et pour la durée de ce Traité, aux habitants Autrichiens ou Hongrois et Italiens du littoral de l'Adriatique, le droit de pêcher le long des côtes de l'autre État, en exceptant cependant la pêche du corail et des éponges, ainsi que celle qui, jusqu'à la distance d'un mille marin de la côte, est réservée exclusivement aux habitants du littoral.

Il est entendu qu'on devra rigoureusement observer les règlements pour la pêche maritime en vigueur dans les États respectifs, et surtout ceux qui interdisent la pêche exercée d'une manière nuisible à la propagation des espèces.

Ad Article XXI.—Les embarcations Italiennes naviguant sur les eaux intérieures de l'Autriche-Hongrie, et réciproquement les embarcations Autrichiens ou Hongroises naviguant sur les eaux intérieures de l'Italie, seront soumises à la législation du pays en tout ce qui concerne les règlements de police, de quarantaine, et de douane.

Ad Article XXIV.—Les dispositions de l'Article XXIV, en ce qui concerne le transport direct des marchandises, ne dérogent pas à la Convention de Berne du 18 [? 14] Octobre, 1890,* en tant que celle-ci demeurera en vigueur entre les Hautes Parties Contractantes.

II. En ce qui concerne le Tarif (A) (Droits à l'Entrée en Italie).

L'interprétation des positions énumérées dans le Tarif (A) sera d'après leur portée actuelle, en conformité avec le Tarif Général Italien en vigueur au moment de la signature du présent Traité, sauf les exceptions qui y ont été stipulées.

1. *Ad No. 2.*—Le vin naturel payera le droit afférent au vin si sa force alcoolique ne dépasse pas 15 degrés. S'il contient plus de 15 degrés il sera assujéti au droit sur le vin, et à l'impôt grevant l'alcool pour chaque degré excédant cette limite.

Les Hautes Parties Contractantes choisiront des experts pour étudier et établir, d'un commun accord, les caractères que les vins doivent présenter pour être admis comme tels par les douanes.

2. *Ad No. 4 (b).*—Le slivovitz des pays de la Couronne de Saint-Étienne, jusqu'à concurrence de 130 hectol. par an, et admis au droit réduit de 25 livres l'hectol., à la condition que l'origine de

ce produit soit justifiée par des certificats délivrés par les autorités compétentes.

3. *Ad No. 4 (c) et (d).*—Le maraschino, jusqu'à concurrence d'une importation annuelle de 130 hectol., sera admis au droit de 25 livres le 100 s'il est introduit en bouteilles d'une capacité au-dessus d'un demi-litre, mais ne dépassant pas le litre; au droit de 18 livres de 100, si les bouteilles ont une capacité d'un demi-litre ou moins. La surtaxe sera perçue en raison de 70 degrés, sans égard à la force alcoolique effective de la liqueur.

4. *Ad No. 30 (c).*—L'extrait de sumac rentre sous le No. 30 (c).

5. *Ad No. 30 (d).*—Est considéré acide acétique impur, ou brut, ou acide pyroligneux brut, l'acide acétique, même limpide comme l'eau, qui contient des substances ayant des odeurs empiréumatiques ou bitumineuses provenant de la distillation du bois, et une acidité complexive inférieure à 50 pour cent, calculée en acide acétique pur.

6.* *Ad No. 37 (b).*—Le carbonate de magnésie produit dans la Vallée de Ledro, jusqu'à concurrence d'une quantité annuelle à déterminer, d'accord, par les Administrations Douanières des deux Hautes Parties Contractantes, est admis au droit réduit de 15 livres les 100 kilog., à la condition que l'origine de ce produit soit justifiée par des certificats délivrés par les autorités compétentes.

7. *Ad No. 53 (b).*—Les cartouches vides munies de capsules, ou autres matières fulminantes, rentrent au No. 53 (b).

8. *Ad No. 72.*—Par laques couleur aniline on entend les combinaisons de l'aniline avec allumine, oxyde d'étain, de plomb, ou de fer, sans aucune addition d'huile minérale, ni d'alcool, à l'état sec ou humide en pâte.

9. *Ad Cat. V.*—Il est convenu que les droits inscrits aux Nos. 82 et 86 du Tarif (A) n'entreront en vigueur qu'à partir du 1^{er} Juillet, 1892. Jusqu'à ce terme le *statu quo* pour les fils et tissus de lin, tel qu'il résultait des dispositions du No. IV du Protocole Final annexé au Traité de Commerce et de Navigation du 7 Décembre, 1887,† est maintenu intégralement.

10. *Ad Nos. 82 et 86.*—Les droits sur les fils et les tissus de lin, écrus, ne seront, dans aucun cas, plus élevés que ceux sur les fils et les tissus blanchis de la même catégorie.

11. *Ad No. 87 (a).*—Le droit afférent aux toiles fortes de lin, de chanvre, ou de jute, rendues imperméables avec des graisses ou avec des produits chimiques, en tant que les toiles mêmes soient déjà confectionnées en couvertures pour marchandises et voitures, est fixé à 30 livres les 100 kilog.

12. *Ad No. 94 (c).*—La surtaxe de couture afférent aux

* See Notes, page 671.

† Vol. LXXVIII, page 407.

couvertures pour marchandises et voitures, cousues et ajustées avec des boucles, courroies, cordes, &c., est réduite de 50 à 10 pour cent.

13. *Ad No. 111.*—Les tissus de coton à jour (graticolati a foggia di velo), non façonnés, pesant plus de 3 kilog. les 100 mètres carrés, acquittent le droit d'un tissu uni, selon l'espèce.

14. *Ad No. 135 (b).*—La bonneterie façonnée comprise sous le No. 135 (b) n'est pas soumise à la surtaxe pour la couture nécessaire à compléter l'objet.

15. *Ad No. 140 (b).*—Les couvertures ordinaires, dites schiavine, de laine passée à la chaux, entièrement blanches ou avec de simples bordures en couleur, sont admises, jusqu'à concurrence de 400 quintaux au maximum par an, et sauf réciprocité du traitement à l'entrée des schiavine Italiennes en Autriche-Hongrie, au droit de 22 livres 50 c. les 100 kilog., à la condition que l'origine de ce produit soit justifiée par des certificats délivrés par les autorités compétentes.

16. *Ad No. 142.*—Les châles, écharpes, et fichus de laine, tissés ou tricotés, imprimés ou non, garnis de franges de matière textile mélangée de soie, la soie dans une proportion inférieure à 12 pour cent, si les franges représentent dans la confection la matière textile plus fortement taxée, payeront le droit afférent aux franges d'après la matière dominant en poids, avec une majoration d'une lire de kilog.

La surtaxe pour la simple confection des châles, écharpes, et fichus de laine, tissés ou tricotés, imprimés ou non, même garnis de franges, de même que la surtaxe pour la confection des couvertures et tapis en laine, simplement ourlés ou bordés, sont réduites de 50 à 20 pour cent.

17. *Ad No. 142.*—Les châles, écharpes, et fichus en tissu de laine, noirs, non brodés avec franges en soie, ou brodés, même en soie, dans un seul coin, avec ou sans franges en soie, seront traités selon l'espèce du tissu, plus une surtaxe de 25 pour cent. Ces articles ne seront pas assujettis à la surtaxe pour la couture.

18. *Ad No. 142.*—Les confections pour hommes et garçons, et les manteaux et jaquettes pour dames, en laine, payeront le droit afférent à la matière la plus fortement taxée dans le cas où cette matière présenterait plus d'un dixième de la superficie totale de l'article confectionné.

Si deux parties ou plus des matières les plus taxées présentent, dans leur ensemble, plus de 10 pour cent de la dite superficie, l'article payera un droit correspondant à la moyenne arithmétique des droits afférent aux matières les plus taxées qui entrent dans la composition.

19. *Ad No. 160.*—La surtaxe pour la confection des fichus, [1890-91. LXXXIII.] 2 U

écharpes, et cache-nez, noir ou de couleur, en tissu de soie ou de bourre de soie, façonnés ou non, ourlés, bordés ou garnis de franges, est réduite de 50 à 20 pour cent.

20. *Ad No. 163 (a).*—Sont comprises sous le No. 163 (a) 2, les planches ou planchettes pour objets d'emballage, les planchettes ou carreaux pour planchers, non marquetés ni collés, et en général tous objets en bois commun, qui ne sont pas encore des ouvrages finis, même s'ils sont rabotés, rainés, ou bouvetés.

Les planches, carreaux, et feuilles pour plaquer, en bois commun, rentrent sous le No. 163 (a) 2, s'ils ont une épaisseur de 2 millim. ou plus.

Les bardeaux et les douves rentrent sous le No. 163 (a) 1.

21. *Ad No. 163 (b).*—Le renvoi aux positions concernant les bois d'ébénisterie est maintenu d'après le répertoire actuellement en vigueur.

22. *Ad No. 165 (a).*—Les meubles non rembourrés, en bois commun courbé, rentrent sous le No. 165 (a) 1, même s'ils sont combinés avec du bois commun non courbé, avec des ouvrages tressés en paille, rotin, et similaires, et avec des parties tournées, perforées, ou avec ornements pressés ou produits par la machine à fraiser, non sculptés.

Les meubles non rembourrés, en bois commun non courbé, rentrent sous le No. 165 (a) 2, même s'ils sont tournés, plaqués en bois commun, perforés, ornementés par pression, ou par la machine à fraiser, et combinés avec des ouvrages tressés en paille, rotin, et similaires, pourvu qu'ils ne soient pas sculptés.

Ne sont pas exclus du No. 165 (a) 1 et 2, les meubles en bois commun, non rembourrés, avec accessoires usuels et non ornementaux en métaux communs, même nickelés.

23. *Ad No. 170.*—Les pelles, fourches, râteliers, plats, cuillers, écuelles, et autres articles de ménage, manches d'ustensiles et d'outils avec ou sans viroles, les sabots communs en bois, et les ustensiles à dessiner (planches, règles, et semblables) sont rangés sous le No. 170 (a) et (b) 2, selon leur travail.

Les articles compris sous le No. 170 y sont admis même s'ils portent des ferrures, cercles, ou autres accessoires en métal ordinaire.

Les fuseaux, bobines, et rochets rentrent au No. 170 (b) 1, même s'ils sont composés, en partie, de bois d'ébénisterie.

24. *Ad No. 171.*—Les boutons de toute sorte, en bois, sont rangés parmi les ouvrages en bois, selon leur travail.

Les boutons de corozzo, et les tuyaux de pipe, de toute sorte, montés avec embouchures en os, en corne, ou en bois, rentrent dans les "mercerie en bois."

25. *Ad No. 177 (b).*—Les ouvrages de vannerie fins peuvent

être avec des accessoires usuels et non ornementaux en métaux ordinaires, même nickelés.

26. *Ad No. 183.*—Le papier blanc ou teint en pâte, coupé pour enveloppes en forme rectangulaire ou autre, est classifié comme le papier blanc ou teint en pâte, en enveloppes (No. 183 c).

27. *Ad No. 186 (a).*—Sera considéré comme carton ordinaire le carton en masse, ou formé de couches réunies par compression sans aide de colle. Tout autre carton formé de couches de papier collées les unes aux autres, ou recouvert de papier, sera rangé dans la classe de carton fins.

Le carton commun ayant un poids au-dessous de 300 grammes au mètre carré, qui présente les caractères du papier d'emballage, sera admis au régime du papier d'emballage.

Les cartons découpés aux bords, en forme rectangulaire, suivent le régime du No. 186.

28. *Ad No. 187.*—Sont compris dans les ouvrages en papier et en carton (No. 187) les articles en papier et en carton, avec accessoires en matières différentes, que le répertoire actuellement en vigueur renvoie à la dite position (187), et le papier linge.

Les cartons coupés en morceaux ou pliés, pour ouvrages de carton, sont admis au régime des cartons respectifs, accru de 12 livres les 100 kilog.

29. *Ad No. 187.*—Les boutons de papier mâché et de matières semblables sont admis au droit de 50 livres les 100 kilog.

30. *Ad No. 188.*—La musique lithographiée est considérée comme musique imprimée (No. 188).

31. *Ad No. 190 (b).*—Les peaux crues, propres à la pelleterie, rapiécetées ou raccommodées non essentiellement, ne rentrent pas sous le No. 192 (ouvrages de pelleterie); elles sont comprises dans le No. 190 (b).

32. *Ad No. 192.*—Les collets, boas, bonnets, bérêts, de fourrure (sauf les bonnets et bérêts garnis pour dames), avec doublure, rubans, cordons de soie, ou autres garnitures, rentrent sous la position 192.

33. *Ad No. 201 (b) 2.*—Il n'est pas tenu compte, pour la classification des tuyaux en fonte, de la circonstance qu'ils se présentent déjà goudronnés.

34. *Ad No. 206 (a) et (b).*—Le droit de 10 livres, fixé pour les clous forgés de fer ou d'acier, est applicable même s'ils sont polis à la machine ou bleuis au four.

35. *Ad No. 206.*—Les coffres-forts (casse-forti, forzieri) rentrent sous le No. 200 (a) et (b) 2, même s'ils ont des accessoires usuels et non ornementaux brunis ou garnis d'autres métaux, même dorés.

36. *Ad No. 206 (b) 2.*—La vaisselle (poêles et semblables) en

tôle de fer de toute épaisseur, dépolie seulement à l'intérieur admise au droit de 16 livres 50 c. les 100 kilog.

37. *Ad No. 209 (a) et (b).*—L'acier trempé est assimilé à non trempé.

38. *Ad No. 224.*—Les chaînes de montres, boucles, agrafes; les chaînettes et cercles pour clefs; de même que montures, serrures, garnitures, et fermoirs pour porte-monnaie, sacs; tous ces articles en fer et en acier, brunis, sont admis au droit de 80 livres les 100 kilog.

39. *Ad No. 234.*—Les ouvrages en argent plaqués d'or traités comme ouvrages en argent doré, non pas comme ouvrages d'or.

40. *Ad Nos. 252, 253, 254, et 255.*—Les pipes en argile, faïence (maïolique), ou porcelaine, même avec cercles ou couvercles en métaux communs non dorés ni argentés, sont assimilées aux ouvrages en terre, faïence, ou porcelaine.

Les couvercles et autres accessoires en alliages de nickel, dans lesquels ces pipes peuvent être montées, ne sont pas considérés comme métaux argentés.

Ces mêmes objets, avec cercles ou couvercles en métaux communs argentés, rentrent sous le No. 329 (a) (mercerie commune).

41. *Ad No. 253.*—La poterie connue sous la dénomination Braungeschirr, produite à Znaim, Krumnussbaum, et Cilli, dorée ou non, est admise au droit réduit de 3 livres les 100 kilog., jusqu'à concurrence de 1,000 quintaux par an, à la condition que l'origine de ce produit soit justifiée par des certificats délivrés par les autorités compétentes.

42. *Ad Nos. 254 et 255.*—Toutes variétés de moulage, y compris les ornements en pâte, sont indifférentes au point de vue de la classification.

43. *Ad No. 258.*—Les verres et cristaux qui portent la marque ou le nom de la fabrique, une plaque en verre, ou une incision indiquant la capacité, ne sont pas exclus du No. 258 (a).

Les ouvrages de verre et de cristal simplement soufflés ou moulés, rentrent sous le No. 358 (a), même s'ils ont le bord, le bouchon ou le bouchon passé à la meule ou dépoli.

Les ouvrages de verre et de cristal considérés par le No. 258 peuvent être gravés entièrement ou en partie.

44. *Ad No. 258 (b) et (c).*—Le verre creux blanc, ou de couleur, simplement soufflé, non taillé, non poli, ni passé à l'émeri ou argenté à l'intérieur, même recouvert à l'extérieur, en tout ou en partie, d'un vernis jaune, ou de décorations en peinture grasse (boules pour jardins, chandeliers, vases, coupes, salières, et autres objets similaires), est admis au droit de 12 livres les 100 kilog.

45. *Ad No. 259.*—Les bouteilles de n'importe quelle forme, contenant de l'eau minérale ou de la bière, acquittent le droit des bouteilles ordinaires non remplies.

46. *Ad No. 265.*—Le malt est sujet au régime douanier de l'orge; les légumes secs à celui des granaglie altre (265 b).

47. *Ad No. 274.*—L'amidon de pommes de terre, la dextrine et la fécule de pommes de terre torrifiées non comprises, est assujetti au régime des féculs.

48. *Ad No. 284 (a).*—Les choux de toute sorte, salés ou mis dans du vinaigre, provenant du Tyrol, avec certificat d'origine, sont admis au droit réduit de 2 livres les 100 kilog.

49. *Ad Nos. 294, 295, 296, 297, 298, et 299.*—Si l'Italie obtient une réduction des droits d'importation sur le bétail en France, elle s'engage à réduire, dans la même mesure, ses droits sur le même article à faveur de l'Autriche-Hongrie.

50. *Ad No. 301 (b).*—Le droit réduit de 5 livres les 100 kilog. est admis, jusqu'à la concurrence de 4,000 quintaux au maximum par an, pour la castradina, viande desséchée et salée (gepöckelt) de mouton ou autre bétail de race ovine. L'application de ce droit réduit est, cependant, subordonnée à la production de certificats d'origine.

51. *Ad No. 306 (c).*—Les sardelle (*clupea sardina*, *c. pilchardus*, *c. papalina*), acciughe (*engraulis encrasicolus*), boiane (*gadus minutus*), scoranze (*alburnus albonella*), sgombri (*scomber scombrus*), lanzarole (*scomber colias*), angusigole (*belona rostrata*, *belona acus*), maride (*maris vulgaris*, *maena vulgaris*), bobi (*box vulgaris*), et suri (*trachurus trachurus*), salés, sont admis en franchise de droits.

Est aussi admise en franchise de droits la saumure importée séparément, mais en même temps que les poissons, jusqu'à la concurrence de 10 pour cent du poids des poissons.

52. *Ad No. 311.*—Le brindza, sorte de fromage de brebis ou de chèvre, à pâte peu cohérente, acquitte le droit de 3 livres les 100 kilog., à la condition que l'origine de ce produit de l'Autriche-Hongrie soit prouvée par des certificats délivrés par les autorités compétentes. La quantité à introduire en Italie, à ce droit réduit, ne pourra pas dépasser, par an, 800 quintaux au maximum.

53. *Ad No. 326 (b).*—Les boutons d'os et de corne sont admis au droit de 50 livres les 100 kilog.

54. *Ad No. 329.*—Les porte-feuilles, porte-monnaies, porte-cigares, livrets pour notes, et semblables ouvrages en cuir de toute sorte, y compris le cuir de Russie, montés en métaux communs non dorés ni argentés, sont assimilés à la mercerie commune. Les accessoires en alliage de nickel, dont ces objets peuvent être fournis, ne sont pas considérés comme métaux argentés.

55. *Ad No. 337 (b).*—Les chapeaux de feutre ordinaires, non

garnis, à l'usage des paysans, sont admis, à leur entrée en Italie, passant par les points-frontière du Tyrol, au droit réduit de 15 centimes la pièce, à la condition que l'origine de ce produit du Tyrol soit prouvée par des certificats délivrés par les autorités compétentes.

56. L'application des marques ou des noms de fabrique sur les marchandises n'exerce aucune influence sur le traitement douanier.

III. *En ce qui concerne le Tarif (B) (Droits à l'Entrée dans le Territoire Douanier Austro-Hongrois).*

L'interprétation des positions énumérées dans le Tarif (B) se fera d'après leur portée actuelle en conformité avec le Tarif Général Austro-Hongrois en vigueur au moment de la signature du présent Traité, sauf les exceptions qui y ont été stipulées.

1. *Ad No. 64.*—Les graines de vers à soie resteront exemptes.

2. *Ad No. 70.*—L'huile de noyaux de palme, solide, rentre dans le No. 70.

3. *Ad No. 73.*—Ne sont pas compris sous le No. 73 les vernis à l'huile.

4. *Ad No. 77.*—Le vin connu sous le nom de vermouth suit le régime des vins purs, appliqué aux autres États qui jouissent du traitement de la nation la plus favorisée.

5. *Ad No. 77.*—Dans le cas où, pendant la durée du Traité, un droit de 5 fr. 77 c., ou moindre, était établi à l'entrée des vins, en Italie, ce droit sera appliqué à tous les vins provenant de l'Autriche-Hongrie; et l'Autriche-Hongrie, dans ce cas, s'engage à accorder, *ipso facto*, aux vins Italiens, les faveurs spéciales mentionnées au No. 5, III, en ce qui concerne le Tarif (B) (droits à l'entrée en Autriche-Hongrie) du Protocole Final du Traité de Commerce et de Navigation du 27 Décembre, 1878.* Le droit serait, dans ce cas, de 3 fl. 20 k. les 100 kilog., et devrait s'appliquer aux vins importés en Autriche-Hongrie, soit par voie de terre, soit par mer, en fûts et futailles.

6. *Ad No. 84.*—Les cervelats et les salami sont compris sous le No. 84, avec le droit réduit de 16 fl.

7. *Ad No. 85.*—Les fromages qui sont une spécialité de l'Italie, savoir, le stracchino, le gorgonzola, le parmigiano, seront admis en Autriche-Hongrie, moyennant certificats d'origine, délivrés par les autorités compétentes, au droit de 5 fl. les 100 kilog.

8. *Ad No. 87.*—Les poissons en saumure rentrent sous le No. 87.

9. *Ad No. 88.*—Ne rentrent pas sous le No. 88 les poissons y

indiqués, en tant qu'ils seront présentés en boîtes de fer blanc et similaires, hermétiquement fermées, de même que ces articles autrement préparés ou confits en boîtes, bouteilles, verres, et similaires.

10. *Ad Nos. 92 et 93.*—Les biscuits (cakes), pains d'épice, et oublies rentrent sous les Nos. 92 et 93.

11. *Ad No. 102.*—Ne sont compris dans les pierres sciées inscrites au No. 102 que les pierres qui montrent un travail avec la scie sur trois côtés au plus.

12. *Ad No. 103 (b) 2.*—Le manganèse et la craie blanche, moulus ou lavés, seront admis en franchise de droit d'après le No. 103 (b) 2.

13. *Ad Nos. 106 et 107.*—Ne rentrent pas sous les Nos. 106 et 107 les eaux et huiles y énumérées, en tant qu'elles seront présentées dans des récipients avec étiquettes, instructions pour l'usage, et similaires, par lesquelles elles sont caractérisées comme parfumeries.

14. *Ad No. 113.*—L'indigo artificiel, de la même composition que l'indigo naturel, sera tarifé comme ce dernier.

15. *Ad No. 146.*—Sous les guipures rentrant sous le No. 146 et étant soumises au droit des dentelles on n'entendra pas les guipures tissées ou tricotées; ces deux espèces de guipures rentrent dans la passementerie ou dans la bonneterie, inscrites au No. 147.

16. *Ad No. 169 (b).*—Seront reconnues comme étoffes de soie pure, unies et armures, celles qui présentent une surface unie et régulière, formée simplement par un croisement de fils de chaîne et de trame, se répétant d'après un certain nombre limité de fils, et qui peuvent être fabriquées par l'emploi simultané de plusieurs lisses, c'est-à-dire, les taffetas et toute les armures, comme: satins, sergés, suraths, merveilleux, ottomanes, marquises, gros de Suez, failles Françaises, levantines, reps, gros de Tours, armures-piquets, &c. Toutes les étoffes qui ne présentent pas une surface unie et régulière et sont formées par la combinaison de deux ou plusieurs différentes armures séparées, soit par des effets de chaîne (comme les pékins), soit par des effets de trame (comme tous les barrés), et en outre toutes les étoffes quadrillées et barrées montrant des effets produits par différentes trames, les moires, les gaufrés, et toutes les étoffes imprimées (soit sur chaîne, soit sur étoffe), rentrent parmi les façonnées.

On considère façonnées toutes les étoffes qui montrent et présentent un dessin formé par toute espèce de combinaison d'un nombre illimité de fils de chaîne et de trame, et qui sont fabriquées par la machine Jacquard. Les velours de toute sorte, les rubans et les gazes, seront traités comme les façonnés.

17. *Ad No. 170.*—On entend sous étoffes de demi-soie, non

seulement les tissus mélangés de soie (y compris la soie et de coton, mais encore les tissus mélangés de soie (y compris la soie Tussah) et de laine, ainsi que ceux fabriqués de soie (y compris la soie Tussah) et de matières textiles mélangées.

18. *Ad No. 175 (a).*—Un droit réduit de 2 kreuzers est accordé aux chapeaux de paille grossiers non garnis, originaux de la Vénétie, importés en Autriche-Hongrie par la frontière d'Ala et Cormons, à la condition que leur origine soit prouvée par le moyen de certificats délivrés par les autorités compétentes.

19. *Ad No. 191.*—Le papier à lignes transparentes (ou à la pâte) n'est pas considéré comme du papier pressé (No. 190) mais sera tarifé comme le papier réglé d'après le No. 191.

20. *Ad No. 195.*—Les poupées ou parties de poupées, de papier, finies, peintes, laquées, même en combinaison avec d'autres matières, en tant qu'elles ne rentrent pas dans les catégories de cuir ou dans la mercerie plus fortement taxées, ne bénéficient du droit réduit conventionnel, mais sont soumises au droit inscrit au No. 195 du Tarif Général Austro-Hongrois.

21.* *Ad No. 214.*—Le cuir à semelle, produit de la province limitrophe de Brescia, pourra être introduit en Autriche-Hongrie au droit réduit de 8 florins les 100 kilogrammes de trafic-frontière, dans la quantité maximum de 2,000 quintaux par an, à la condition qu'il soit accompagné d'un certificat d'origine.

22. *Ad Nos. 220 et 221.*—Les imitations des pelleteries obtenues au moyen de l'apprêt ou de la teinture des peaux ordinaires, seront traitées comme pelleteries ordinaires au droit réduit inscrit aux Nos. 220 (a) et 221 (a).

La pelleterie artificielle de toute sorte, faite de plumes, sera tarifée après le droit inscrit au No. 221 (b) du Tarif Général Austro-Hongrois.

23. *Ad No. 241.*—Les articles connus sous la dénomination de verrerie de Venise, tel que perles, conterie, rentrent au No. 241, même s'ils sont passés sur des fils pour faciliter l'emballage et leur transport.

24. *Ad Nos. 240, 241, et 242.*—La verrerie iridescence sera tarifée comme verrerie de couleur.

25. *Ad No. 243.*—Les conteries de Venise (émaux, laque, verre, perles, verre filé) rentrent au No. 243 avec le droit de 12 florins, même si elles sont en union avec le caoutchouc et les métaux non précieux, ni dorés, ni argentés.

26. *Ad No. 245 (c).*—Les crayons d'ardoise naturelle, ou de papier, seront traités d'après le No. 245 (c).

27. *Ad No. 249 bis.*—Les tuiles cannelées, vernissées (Dachfalzziegel), produites dans la Vénétie, jusqu'à concurrence

* See Notes, page 670.

25,000 quintaux par an, jouiront, à titre de faveur de trafic-frontière, de la franchise des droits, pourvu qu'elles soient accompagnées de certificats d'origine.

28.* *Ad No. 254.*—La poterie en argile ordinaire, même lavée, de la Vénétie, vernissée, même avec une décoration grossière de fleurs et semblable de plusieurs couleurs, est assimilée, à titre de faveur de trafic-frontière, au No. 252 (b), à la condition que son origine soit certifiée par les autorités compétentes.

29. *Ad No. 256.*—Les cruches en grès avec couvercles de métaux communs non dorés ni argentés seront tarifées, comme la poterie combinée d'autres matières, au droit réduit du No. 256, pourvu que le poids du couvercle ne dépasse pas le poids de la cruche.

30. *Ad No. 259 (a).*—Le fer en barres, plates, à profil bombé aux côtés, étroites, rentre dans le fer non façonné.

Sont entendus sous le terme, "Zaggel aus abgeschweissten Schweisseisen," les Zaggel produits au moyen de la soudure des loupes, des milbars, des paquets de fer ébauché au laminoir (Rohschienenpaquete), ou des paquets de débris de fer (dits Schwitzpackete).

31. *Ad No. 271.*—Les ouvrages de fer et d'acier, finement matés, damassés (ornementés), ou gravés, non spécialement dénommés, acquitteront le droit inscrit au No. 271 pour les ouvrages de fer et d'acier polis.

32. *Ad No. 298.*—La franchise des droits pour les instruments de précision pour usages scientifiques est accordée, non seulement à des instituts publics, mais encore à toute personne qui prouve, par un certificat de l'autorité compétente, que les instruments à importer sont destinés pour servir dans ses études scientifiques, à l'exclusion toutefois de leur emploi dans un métier, dans une profession ou dans le commerce.

33. *Ad No. 323.*—Jouiront du droit concédé pour les lessives pour blanchir, non seulement le hypochlorite de soude (eau de Labarraque), et le hypochlorite de potasse (eau de Javelle), mais encore les solutions aqueuses de potasse et de soude caustiques, de bisulfite de chaux, et de sulfite de soude, ou de l'acide sulfureux, de même que le bioxyde d'hydrogène.

34. *Ad No. 328.*—L'amidon brillant ou l'amidon double, c'est-à-dire, l'amidon préparé avec la stéarine, le borax, la cire, et d'autres matières, rentre dans le No. 328, pourvu qu'il ne soit pas parfumé.

35. *Ad Nos. 348 et 349.*—Les reliures appartenant à la mercerie sont, entre autres, les reliures en soie, en velours, en ivoire, en écaille. Les livres, y compris ceux à estampes ou à images, s'ils sont reliés en toile ou en cuir, seront admis en franchise.

* See Notes, page 670.

Les impressions et la dorure sur tranches sont indifférentes au point de vue de la tarification de livres reliés.

Il est entendu, de même, que les reliures qui, d'après leur nature, ne sont pas rangées dans la mercerie ne seront pas soumises au régime de la mercerie pour la seule raison qu'elles possèdent des fermoirs et des garnitures en métaux communs, finement argentés. Il ne sera donc pas tenu compte de ces accessoires dans la tarification.

IV. *En ce qui concerne le Cartel de Douane.*

Ad Art. 7.—Suivant les dispositions en vigueur, les marchandises étrangères qui n'ont pas été soumises au traitement des marchandises nationales ne peuvent être déposées, dans les districts-frontière des douanes, que dans les lieux où se trouvent des bureaux de douane, et là seulement dans les magasins de douane ou, dans le cas sous un contrôle suffisant pour empêcher des abus. Il est entendu que, aussi longtemps que ces dispositions resteront en vigueur, il suffira, pour l'exécution des stipulations contenues à l'Article 7, que les autorités douanières des Hautes Parties Contractantes soient chargées de contrôler dans les districts-frontière, conformément aux lois, les dépôts de ce genre, de même que les dépôts de marchandises étrangères nationalisées et de marchandises nationales, en ayant également soin des intérêts fiscaux de l'autre Partie.

Ad Art. 17.—Le droit de remettre ou d'atténuer les peines auxquelles l'inculpé a été condamné par suite du procès institué conformément à l'Article 14, ou qu'il s'est offert spontanément, appartient à l'État dont les tribunaux ont prononcé la condamnation ou sont saisis de cet offre. Toutefois, avant de prononcer la remise ou l'atténuation de ces peines, on donnera aux autorités compétentes de l'État dont les lois ont été lésées l'occasion d'exprimer leur avis sur la matière.

Le présent Protocole, qui sera considéré comme approuvé et sanctionné par les deux Hautes Parties Contractantes, sera ratifié, sa ratification spéciale, par le seul fait de l'échange des ratifications. Le Traité auquel il se rapporte, a été dressé, en double expédition, à Rome, le 6 Décembre, 1891.

(L.S.) RUDINI.

(L.S.) G. MALV.

(L.S.) N. MIRA.

(L.S.) B. STRIN.

(L.S.) A. MONZ.

(L.S.) v. BRUC.

Carte de Légitimation Industrielle pour Voyageurs de Commerce.

Valable pour l'année 18 .

fait le commerce [*possède une fabrique*]

de
sous la raison sociale

Est au service de la maison de commerce
en qualité de voyageur de commerce et que cette maison fait le commerce
[possède une fabrique] de
à .

Le Sieur N. , désirant recueillir
des commandes et faire des achats de marchandises pour le compte de la susdite
raison sociale, ainsi que pour celui des raisons sociales suivantes :—

dans { la Monarchie Austro-Hongroise
le Royaume d'Italie
il est certifié, en outre, que l dite
raison sociale acquitto
dans son [leur] pays les droits réglementaires pour l'exercice de son [leur]
commerce.

Le porteur de la présente carte de légitimation est autorisé à recueillir des commandes et à faire des achats de marchandises, mais exclusivement en voyageant et seulement pour compte de dite raison. Il pourra porter avec lui des échantillons, mais non des marchandises. En recueillant des commandes et en faisant des achats, il aura à se conformer aux règlements en vigueur dans chaque État pour les voyageurs de commerce de la nation la plus favorisée, et il devra toujours être muni de la carte de légitimation.

(Endroit, date, signature, et sceau de l'autorité qui délivre la carte.)

(Signalement, domicile, et signature du voyageur de commerce.)

ANNEX 4.

DÉCLARATION.

AFIN d'assurer l'application conforme des dispositions dans le § 4 de l'Article Additionnel du Traité de Commerce de Navigation conclu sous la date de ce jour entre l'Italie et l'Autriche-Hongrie, les Hautes Parties Contractantes sont convenues comme suit :—

I. Les céréales en gerbes ou en grains, y compris le riz mondé, les légumineux avec ou sans gousses, les produits de viticulture, et les autres produits agricoles en état cru, récoltés sur des terres qui sont séparées, par la ligne-frontière Austro-Italienne, des habitations et fermes des propriétaires ou colons, seront exempts des droits d'entrée et de sortie à leur transport sur ces habitations et fermes, ainsi qu'à leur retour.

Cette exemption entrera en effet à partir du mois de Janvier, les susdits produits seront récoltés, et expirera à la fin du mois de Décembre de la même année.

II. Les produits récoltés dans les terres séparées, par la ligne-frontière Austro-Italienne, des habitations et fermes appartenant aux propriétaires et colons respectifs, pour jouir de la dite exemption, ne seront admis que s'ils sont transportés sur des barques douanières et accompagnés d'une déclaration des marchandises à présenter, par écrit, en deux exemplaires, dont l'un sera remis au bureau douanier de sortie et l'autre au bureau d'entrée.

Les déclarations des marchandises devront être signées par les propriétaires des terres, ou par leurs représentants, et indiquer les quantités des produits destinées à être transportées sur ces habitations et fermes, ainsi que celles qui devront y être consommées. Ces déclarations devront être accompagnées d'une attestation de l'autorité communale, affirmant que les produits en question ont été effectivement récoltés sur des terres séparées, par la ligne-frontière Austro-Italienne, des habitations et fermes respectives.

III. L'exemption des droits, pour les produits mentionnés au § I, ne pourra être accordé à la réimportation que pour les quantités dont le chiffre est indiqué dans la susdite déclaration des marchandises.

Afin d'obtenir l'exemption des droits à la réimportation, les produits dont il est question devront être présentés au bureau douanier par lequel ils avaient passé la frontière en payant les droits.

Les Hautes Parties Contractantes instruiront les

donaniers et les organes pour la surveillance de la frontière en conformité des principes et des dispositions énoncées ci-dessus.

Fait à Rome, en double exemplaire, ce 6 Décembre, 1891.

RUDINI, *Président du Conseil, Ministre des Affaires Étrangères d'Italie.*

BRUCK, *Ambassadeur d'Autriche-Hongrie près Sa Majesté le Roi d'Italie.*

ANNEX 5.

Exchange of Notes for the Interpretation of Article VIII of the Treaty.

No. 1.—The Italian Minister for Foreign Affairs to the Austro-Hungarian Ambassador at Rome.

M. L'AMBASSADEUR,

Rome, ce 6 Décembre, 1891.

L'ARTICLE VIII du Traité de Commerce et Navigation, que nous venons de signer sous la date de ce jour, porte que le traitement conventionnel doit, de part et d'autre, être réservé aux produits du sol ou de l'industrie des pays respectifs. Au cours de la négociation qui a précédé la signature du Traité il a été cependant établi que les deux Parties Contractantes sont d'accord à considérer comme produits de l'industrie nationale tous les articles, quelle que soit l'origine de la matière dont ils sont composés, qui ont été, dans le pays, l'objet d'une transformation industrielle.

Je m'empresse de constater, par la présente note, que tel est réellement, à cet égard, le point de vue du Gouvernement du Roi. J'aimerais à recevoir de votre Excellence, au nom du Gouvernement Impérial et Royal, une assurance identique.

Veuillez agréer, &c.,

RUDINI.

No. 2.—The Austro-Hungarian Ambassador at Rome to the Italian Minister for Foreign Affairs.

M. LE MINISTRE,

Rome, ce 6 Décembre, 1891.

SE référant à l'Article VIII du Traité de Commerce et Navigation que nous venons de signer sous la date de ce jour, votre Excellence, après avoir remarqué que cet Article réserve le traitement conventionnel aux seuls produits du sol ou de l'industrie des pays respectifs, rappelle qu'il a été cependant établi, au cours de la négociation, que les deux Parties Contractantes sont d'accord à considérer comme produits de l'industrie nationale tous les articles,

quelle que soit l'origine de la matière dont ils sont composés, qui ont été, dans le pays, l'objet d'une transformation industrielle. Votre Excellence conclut en constatant que tel est réellement, à cet égard, le point de vue du Gouvernement du Roi, et en exprimant le désir de recevoir de ma part, au nom du Gouvernement Impérial et Royal, une assurance identique.

Autorisé par mes instructions, je suis, en effet, en mesure de déclarer que mon Gouvernement considère également comme produits de l'industrie nationale tous les articles, quelle que soit l'origine de la matière dont ils sont composés, qui ont été, dans le pays, l'objet d'une transformation industrielle.

Veuillez agréer, &c.,

BRUCK.

ANNEX 6.

Exchange of Notes for the Interpretation of paragraphs 21 and 28 of Section III of the Final Protocol.

No. 1.—The Italian Minister for Foreign Affairs to the Austro-Hungarian Ambassador at Rome.

M. L'AMBASSADEUR,

Rome, ce 6 Décembre, 1891.

D'APRÈS le procès-verbal de clôture de la négociation qui a abouti au Traité de Commerce et Navigation du 7 Décembre, 1887, il a été convenu entre les deux Parties Contractantes :—

1. Que la Province de Mantoue fait partie des provinces dont les fabriques peuvent profiter du droit réduit de 8 florins les 100 kilog. stipulé pour les cuirs à semelle au Protocole Final, III, faisant suite au dit Traité de Commerce et de Navigation du 7 Décembre, 1887 ;

2. Que le droit de faveur attribué par ce même Protocole Final, III, à la poterie en argile ordinaire de la Vénétie, lavée ou non, vernissée, même avec décoration grossière de fleurs et semblables, d'une ou plusieurs couleurs, s'applique également à la poterie provenant des Pouilles présentant les dits caractères.

Le traitement exceptionnel pour les cuirs à semelle et la poterie en argile ordinaire de la Vénétie ayant été reconfirmé en termes absolument identiques par le Traité que nous venons de signer sous la date de ce jour, où il figure aux Nos. 21 et 28 du Protocole Final, III, il n'est pas douteux que les constatations ci-dessus rappelées au sujet de la Province de Mantoue et de Pouilles continuent à être en pleine vigueur sous le régime du nouveau Traité.

J'aimerais, cependant, à en recevoir de votre Excellence, au nom du Gouvernement Impérial et Royal, l'assurance positive.

Veuillez agréer, &c.,

RUDINI.

No. 2.—The Austro-Hungarian Ambassador at Rome to the Italian Minister for Foreign Affairs.

M. LE MINISTRE,

Rome, ce 6 Décembre, 1891.

VOTRE Excellence veut bien me demander, par la note qu'elle m'a fait l'honneur de m'adresser sous la date d'aujourd'hui, l'assurance que les constatations contenues dans le procès-verbal de clôture concernant le Traité de Commerce et Navigation du 7 Décembre, 1887, au sujet de l'extension à la Province de Mantoue et aux Pouilles du traitement de faveur établi par le Protocole Final, III, faisant suite au dit Traité, pour les cuirs à semelle et la poterie en argile ordinaire, continue de valoir à l'égard de ce traitement de faveur que le Traité signé aujourd'hui vient de reconfrmer.

Mes instructions me mettent en mesure de déclarer que tel est, en effet, le point de vue du Gouvernement Impérial et Royal. Il demeure donc entendu que la Province de Mantoue et les Pouilles continueront, respectivement, de bénéficier des régimes de faveur repris au Nos. 21 et 28 du Protocole Final, III, faisant suite au Traité de Commerce et de Navigation signé sous la date d'aujourd'hui.

Veuillez agréer, &c.,

BRUCK.

ANNEX 7.

Exchange of Notes for the Interpretation of paragraph 6 of Section II of the Final Protocol.

No. 1.—The Austro-Hungarian Ambassador at Rome to the Italian Minister for Foreign Affairs.

M. LE MINISTRE,

Rome, ce 6 Décembre, 1891.

ME référant au point No. 6 du Protocol Final, II, ad No. 87 (b) du Tarif (A) annexé au Traité de Commerce et Navigation que nous venons de signer sous la date de ce jour, j'ai l'honneur de proposer à votre Excellence, au nom du Gouvernement Impérial et Royal, la méthode qui suit pour la détermination de la quantité annuelle de carbonate de magnésie produit dans la Vallée de Ledro, qui pourra être introduite dans le Royaume au droit réduit de 15 lires les 100 kilog.:—

“ Les deux Administrations des Douanes, sur la base des données qu’elles auront à relever sur les quantités de carbonate de magnésie qui ont été exportées de la Vallée de Ledro en Italie avant l’introduction du droit de 25 livres, en établiront d’un commun accord la quantité moyenne quinquennale. L’entente à ce sujet devra se faire et entrer en vigueur dans les trois mois.”

Je saurai gré à votre Excellence de vouloir bien me dire si la proposition ci-dessus énoncée est acceptée par le Gouvernement du Roi.

Veillez agréer, &c.,

BRUCK.

No. 2.—The Italian Minister for Foreign Affairs to the Austro-Hungarian Ambassador at Rome.

M. LE BARON,

Rome, ce 6 Décembre, 1891.

VOTRE Excellence, par la note qu’elle m’a faite l’honneur de m’adresser sous la date de ce jour, me propose, au nom du Gouvernement Impérial et Royal, la méthode suivante pour la détermination de la quantité annuelle de carbonate de magnésie produit dans la Vallée de Ledro qui pourra être introduite dans le Royaume au droit réduit de 15 livres les 100 kilog. :—

“ Les deux Administrations des Douanes, sur la base des données qu’elles auront à relever sur les quantités de carbonate de magnésie qui ont été exportées de la Vallée de Ledro en Italie avant l’introduction du droit de 25 livres, en établiront d’un commun accord la quantité moyenne quinquennale. L’entente à ce sujet devra se faire et entrer en vigueur dans les trois mois.”

Je m’empresse de déclarer à votre Excellence que la méthode ci-dessus énoncée est acceptée par le Gouvernement du Roi.

Veillez agréer, &c.,

RUDINI.

AGREEMENT between the Governments of Great Britain and France with regard to the Somali Coast.—February 1888.

No. 1.—M. Waddington to the Marquess of Salisbury.—(Received February 7.)

M. LE MARQUIS,

Londres, le 2 Février, 1888.

Le Gouvernement de la République Française et le Gouvernement de Sa Majesté Britannique étant désireux d’arriver à un accord relativement à leurs droits respectifs dans le Golfe de

Tadjourah et sur la Côte Somali, j'ai eu l'honneur d'entretenir votre Seigneurie à plusieurs reprises de cette question. Après un échange amical de vues nous sommes tombés d'accord hier sur les Arrangements suivants:—

1. Les Protectorats exercés ou à exercer par la France et la Grande-Bretagne seront séparés par une ligne droite partant d'un point de la côte situé en face des puits d'Hadou et dirigée sur Abassouën en passant à travers les dits puits; d'Abassouën la ligne suivra le chemin des caravanes jusqu'à Bia-Kabouba, et de ce dernier point elle suivra la route des caravanes de Zeylah à Harrar, passant par Gildessa. Il est expressément convenu que l'usage des puits d'Hadou sera commun aux deux parties.

2. Le Gouvernement de Sa Majesté Britannique reconnaît le Protectorat de la France sur les côtes du Golfe de Tadjourah, y compris le groupe des Iles Muchah et l'Îlot de Bab, situés dans le golfe, ainsi que sur les habitants, les tribus, et les fractions de tribus situés à l'ouest de la ligne ci-dessus indiquée.

Le Gouvernement de la République Française reconnaît le Protectorat de la Grande-Bretagne sur la côte à l'est de la ligne ci-dessus jusqu'à Bender-Ziâdeh, ainsi que sur les habitants, les tribus, et les fractions de tribus situés à l'est de la même ligne.

3. Les deux Gouvernements s'interdisent d'exercer aucune action ou intervention, le Gouvernement de la République à l'est de la ligne ci-dessus, le Gouvernement de Sa Majesté Britannique à l'ouest de la même ligne.

4. Les deux Gouvernements s'engagent à ne pas chercher à annexer le Harrar ou à le placer sous leur Protectorat. En prenant cet engagement, les deux Gouvernements ne renoncent pas au droit de s'opposer à ce que toute autre Puissance acquière ou s'arroge des droits quelconques sur le Harrar.

5. Il est expressément entendu que la route des caravanes de Zeylah à Harrar, passant par Gildessa, restera ouverte dans toute son étendue au commerce des deux nations ainsi que des indigènes.

6. Les deux Gouvernements s'engagent à prendre toutes les mesures nécessaires pour empêcher le Commerce des Esclaves et l'importation de la poudre et des armes dans les territoires soumis à leur autorité.

7. Le Gouvernement de Sa Majesté Britannique s'engage à traiter avec bienveillance les personnes, soit Chefs, soit membres des tribus, placées sous son Protectorat, qui avaient précédemment adopté le Protectorat Français. Réciproquement, le Gouvernement de la République prend le même engagement relativement aux personnes et aux tribus placées désormais sous son Protectorat.

En m'accusant réception de la présente note, je serais reconnaissant à votre Seigneurie si elle voulait bien constater officielle-

ment l'accord que nous avons conclu au nom de nos Gouvernements respectifs.

Veuillez, &c.,

The Marquess of Salisbury.

WADDINGTON

No. 2.—The Marquess of Salisbury to M. Waddington

M. L'AMBASSADEUR,

Foreign Office, February

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 2nd instant, reciting the Arrangement which we have agreed with regard to the respective rights of Great Britain and France in the Gulf of Tajourra and on the Coast.

The provisions of this Arrangement are as follows:—

1. The Protectorates exercised, or to be exercised, by Great Britain and France shall be separated by a straight line from a point on the coast opposite to the wells of Harrar, passing through the said wells to Abassouen: from Abassouen the line shall follow the caravan road as far as Bia-Kabouba, and from this latter point it shall follow the caravan road from Abassouen to Harrar, passing through Gildessa. It is expressly agreed that the use of the wells of Hadou shall be common to both parties.

2. Her Britannic Majesty's Government recognize the Protectorate of France over the coasts of the Gulf of Tajourra, in the group of the Mushah Islands and the Islet of Bab, situated in the gulf, as well as over the inhabitants, tribes, and fractions of tribes situated to the west of the line above mentioned.

The Government of the French Republic recognize the Protectorate of Great Britain over the coast to the east of the above line, as far as Bender-Ziadeh, as well as over the inhabitants, tribes, and fractions of tribes situated to the east of the same line.

3. The two Governments pledge themselves to abstain from taking any action or exercising any intervention, the Government of the Republic to the east of the above line, Her Britannic Majesty's Government to the west of the same line.

4. The two Governments engage not to endeavour to acquire the town of Harrar, nor to place it under their Protectorate. In the event of such an engagement, the two Governments do not renounce the right of opposing attempts by any other Power to acquire or to exercise rights over Harrar.

5. It is expressly agreed that the caravan road from Abassouen to Harrar, by way of Gildessa, shall remain open in its entirety to the commerce of the two nations, as well as to the traffic of the natives.

6. The two Governments engage to take all necessary measures

to prevent the Slave Trade and the importation of gunpowder and arms in the territories subject to their authority.

7. The Government of Her Britannic Majesty engages to treat with consideration ("bienveillance") those persons, whether Chiefs or members of the tribes placed under their Protectorate, who had previously adopted the French Protectorate. The Government of the Republic, on their part, take the same engagement with regard to the persons and tribes henceforth placed under their Protectorate.

I have the honour to state that the Arrangement recited in your Excellency's note, of which the above is a textual translation, is accepted by Her Majesty's Government, and will be considered by them as binding upon the two countries from the present date.

In doing so I will add, for the sake of record, that I understand the third clause of the Agreement to preclude the granting by either party of protection to natives within the Protectorate of the other party; and that I gathered in conversation that your Excellency concurred with me in that opinion.

I have, &c.,

SALISBURY.

M. Waddington.

No. 3.—The Marquess of Salisbury to M. Waddington.

M. L'AMBASSADEUR,

Foreign Office, February 9, 1888.

WITH reference to the note which I have this day addressed to your Excellency, accepting, on behalf of Her Majesty's Government, the Arrangement agreed upon between us respecting the British and French Protectorates in the Gulf of Tadjourra and on the Somali Coast, I think it right to remind your Excellency that I received some months ago a request from the Turkish Ambassador at this Court that in any understanding which might be arrived at on this subject the rights of His Imperial Majesty the Sultan might be respected.

I assured his Excellency, in reply, that the British Government would carefully abstain in the future, as in the past, from any interference with the just rights of the Sultan, and that I was convinced that the Government of the French Republic would act in a similar spirit.

I have, &c.,

SALISBURY.

M. Waddington.

PROTOCOL between Great Britain, Belgium, France, Spain, Sweden and Norway, Switzerland, Tunis, and the United States of America, respecting the Expenses of the International Office (Industrial Property).—Signed at Madrid, April 15, 1891.

[Ratifications exchanged at Madrid, June 15, 1892.*]

LES soussignés Plénipotentiaires des Gouvernements ci-dessus énumérés,

Vu la Déclaration adoptée le 12 Mars, 1883, par la Conférence Internationale pour la Protection de la Propriété Industrielle réunie à Paris,

Ont, d'un commun accord, et sous réserve de ratification, arrêté le Protocole suivant :—

ART. I. Le premier alinéa du chiffre 6 du Protocole de Clôture annexé à la Convention Internationale du 20 Mars, 1883,† pour la Protection de la Propriété Industrielle, est abrogé et remplacé par la disposition suivante :—

“ Les dépenses du Bureau International institué par l'Article XIII seront supportées en commun par les États Contractants. Elles ne pourront, en aucun cas, dépasser la somme de 60,000 fr. par année.

II. Le présent Protocole sera ratifié, et les ratifications en seront échangées à Madrid dans le délai de six mois au plus tard.

Il entrera en vigueur un mois à partir de l'échange des ratifications, et aura la même force et durée que la Convention du 20 Mars, 1883, dont il sera considéré comme faisant partie intégrante.

En foi de quoi les Plénipotentiaires des États ci-dessus énumérés ont signé le présent Protocole à Madrid, le 15 Avril, 1891.

Pour la Belgique TH. DE BOUNDER DE MELS-BROECK.

‡ Pour le Brésil LUIS F. D'ABREU.

Pour l'Espagne S. MORET.

MARQUÉS DE AGUILAR.

ENRIQUE CALLEJA.

LUIS MARIANO DE LARRA.

* The ratification of the United States of America was accompanied by a reserve of the Senate expressed in the instrument of ratification; and that of Sweden and Norway by a proviso that the Protocol should be approved by all the other States of the Union.

† Vol. LXXIV, page 44.

‡ Has not ratified.

Pour les États-Unis d'Amérique	E. BURD GRUBB.
Pour la France et la Tunisie	P. CAMBON.
Pour la Grande-Bretagne	FRANCIS CLARE FORD.
*Pour le Guatémala	J. CARRERA.
*Pour l'Italie	MAFFEI.
Pour la Norvège	ARILD HUITFELDT.
*Pour le Pays-Bas	GERICKE.
*Pour le Portugal	COMTE DE CASAL RIBEIRO.
Pour la Suède	ARILD HUITFELDT.
Pour la Suisse	CH. E. LARDET.
	MOREL.

CORRESPONDENCE respecting the Affairs of Crete (Outrages; Proceedings of Cretan Outlaws; Proposed Reforms; &c.).—1890, 1891.†

[Continued from Vol. LXXXII, pages 1170–1288.]

No. 1.—Sir E. Monson to the Marquess of Salisbury.—(Received January 7, 1891.)

MY LORD,

Athens, December 29, 1890.

FOR a week or ten days past it has been known to well-informed persons in Athens that a few of the refugees were contemplating an armed expedition to Crete; and as your Lordship will have learned by Mr. Biliotti's telegram a few adventurers have succeeded in landing in the island with the object of creating a disturbance, or of carrying out marauding and murderous projects on their own account.

On the evening of the 27th the small Greek squadron, which has the sobriquet of "black," and which is composed of four gun-boats and three torpedo-boats, and is generally cruising in Greek waters in summer time, received orders to put to sea, and Athens was next day alert with rumours as to its destination—the most accepted story being that a massacre of Christians had taken place, or was imminent, at Smyrna, and that the Greek Government had sent their ships to that port for the protection of the Hellenic community.

* Have not ratified.

† This Correspondence is extracted from Parliamentary Paper, "Turkey No. 5 (1891)."

I went to M. Delyauni's this morning and asked him what was the real state of the case.

His Excellency said that having learned that some refugees had crossed over with a supply of ammunition in the night, he had requested the Minister of Marine to send cruises in order to stop any further filibustering expeditions, from which he had been informed had been set on foot by the Government are determined to put down every attempt of the rebels as injurious to the real welfare of the island.

M. Delyauni added that he had upon several occasions urged the Cretan chiefs to return to their island peaceably, and really no longer any reason against their doing so; but in encouraging them to return *peaceably*, he had no intention of suggesting that they should do so with arms in their hands, and was greatly disquieted at the threatened expedition.

He begged me very earnestly to do all in my power to allay the apprehensions which seemed still to exist as to the attitude of the Government towards Turkey, assuring me that I should be only doing him justice if I laid stress upon his pacific disposition, and his desire to ameliorate the relations between the two countries.

I have, &c.,

The Marquess of Salisbury.

EDMUND M.

No. 2.—Consul Biliotti to the Marquess of Salisbury.—(London, January 12, 1891.)

MY LORD,

Canea, Crete, December 1890.

I HAVE the honour to confirm a telegram which I forwarded to your Lordship, announcing that I was informed of the landing in the district of Rethymo of a band of his band, which, according to one report, consists of ten men; according to another, of only five, whose names are, Liapis, I. Koundouraki, Efstalthis Mamalios, Emmanuel and Giorgius Pastrityis. It is said that the ten individuals are in possession of 500 cartridges, but my informant, who gives the number of the band at five, reckons the amount of ammunition in their possession at 10 cases of 900 cartridges each, which, if the rumours increase to the number of 40. In any case, even 5,000 as being the lowest number of cartridges in his possession, it is certain that he cannot have procured this quantity of ammunition by his own means. All the Cretan leaders with whom I have had occasion to speak are of this opinion, and also that Liapis has been sent here to promote trouble for political purposes. Most of them believe that his arrival here is to be attributed

the Opposition in Greece, while a few think he was dispatched by the Cretan Committee lately re-formed by M. Delyanni. Should there be any truth in the latter supposition, the action of the Greek Government may possibly have some connection with the ecclesiastical question, about which I understand instructions have been sent by the Patriarch, in consequence of which all the Bishops in the island are congregating at Candia, the residence of the Archbishop. In both cases, Cretan leaders speak according as they happen to be partisans of the Greek Premier or of M. Tricoupi; but the fact is admitted by all, that Liapis could not have undertaken the venture with the means of which he could personally dispose. Whatever may be the source from which Liapis derives the sinews of his expedition, a very bad service is thereby rendered to Crete. As such scanty means are obviously insufficient to promote a serious movement in the island, Liapis' exploit will be limited to murders of Mussulmans and also of Christians, against whom he has private motives for revenge.

It is not in the power of the foreign gendarmerie to apprehend him, and Christian gendarmes will never do so. If the foreign gendarmerie do anything, they will probably act as in previous expeditions of outlaws, and simply imprison all Christians who may be suspected of giving food or shelter to Liapis or his friends. The number of Christians who, from fear, will not refuse him food or shelter, nor denounce him to the police, may be great, and it is to be expected that, in consequence of the rigorous measures adopted against Mussulmans in the recent murder of the German traveller, Christians will be treated with more rigour than ever in order to prevent recriminations on the part of the Turkish population; but the hardships which they may have to suffer will lead to no political result whatever, if such be the intention of the promoters of Liapis' venture.

Under these circumstances only one course is open to Christians, and it is likely it will again be resorted to, as it was adopted the last time he was here, that is, to induce him and his companions to embark and return to Greece. It would be an act of humanity on the part of the persons in that country who may have some influence on him to use it for the attainment of this result.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

P.S.—I should have stated before who Liapis is; his name, although it appears more than once in previous official correspondence, may have escaped special notice. This individual, having murdered a few years ago one of his co-religionists in retaliation for the assassination of his brother, took refuge in Greece, whence

he returned last year for a fresh revenge. As reported at the end of my despatch of the 9th November, 1889,* not finding his intended victim, he murdered in cold blood his sister, her husband, and their child, a girl of 12 years of age, and later on another member of the same family. Meanwhile, he employed his spare time in murdering Turkish soldiers and gendarmes in ambush, and he succeeded, to my knowledge, in killing eight and wounding four, but public report increased their number to three times as many. He has been considered ever since as a hero, and on his return to Greece about six months ago received a popular ovation and a pension from the Government (which, however, I now hear has been curtailed), so that from a common murderer of women and children Liapis became a political personality.

A. B.

No. 3.—Consul Biliotti to the Marquess of Salisbury.—(Received January 12, 1891.)

MY LORD,

Canca, Crete, December 30, 1890.

I HAVE the honour to report that Djavad Pasha has received orders from the Porte concerning indemnities. Clerks are to be appointed in each of the offices of the Indirect Contributions, to keep separate accounts of the sums accruing from the extra tax which is to be applied to pay indemnities. The £ T. 2,000 already remitted to Constantinople are to be refunded here by the permanent office of the Indirect Contributions. A Commission has already been appointed to carry out the valuation of the houses, as well as of the olive trees destroyed or burnt. As these trees require a number of years (about fifteen) to grow and yield any produce, it has been thought but fair (and no objection has been raised to this arrangement) that those who have been deprived of their income under this head should receive a compensation of some sort. The Commission, which is to begin work on the 1st/₇th January next, will consist of two members of the Administrative Council in each province, who will be joined by two members of the Local Council in each district, in both cases the one to be a Christian and the other a Mussulman, the Kaimakam, and a clerk. The Demarch in each commune and the Elders of each village are to assist at the valuation. This arrangement seems to answer all requirements except economy, as the fees to be paid to the members of this Commission are, so far as I have been able to understand, to be fixed at so much per day, and not per house. The Porte has also instructed Djavad Pasha to try and make a loan of £ T. 50,000 for the purpose of

* Vol. LXXXII, page 1204.

paying the indemnity at once. His Excellency has applied to the Representatives of the Imperial Ottoman and other banks here, but as the interest offered is only 4 per cent., it is hardly to be expected that a loan will be negotiated at so low a rate by the Cretan Government, which has always found it difficult to obtain money at any price, and which paid 9 per cent. on the last loan which it got from the Banque de Constantinople just before the last disturbances.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 4.—Consul Biliotti to the Marquess of Salisbury.—(Received January 12, 1891.)

MY LORD,

Canea, Crete, December 30, 1890.

THE instructions issued on the 28th ultimo (10th instant) by Djavad Pasha through the Procureur-Impérial to the President of the Court of Appeal with regard to the execution of the sentences connected with indemnities are to the following effect:—

Indemnities having to be paid out of the income derived from an extra tax imposed for the purpose, no sentences are henceforth to be pronounced in the matter, and those already issued by the *ad hoc* Mixed Commission, as well as by the Civil Courts, are not to be executed. This rule does not apply to claims or sentences concerning movable property which may have been handed over for keeping during the last disturbances, nor to the indemnities awarded by the court-martial for the savage destruction of the village of St. George, in the district of Rethymo, and to one or two other somewhat similar sentences, on the particular merits of which the Government will issue instructions when they are presented for execution; these are not to be paid out of the proceeds of the extra tax in question. It is further explained in these instructions, that any amicable agreement or undertaking to which the parties may have come in consequence of the decisions taken by the Mixed Commissions or the local Civil Courts are not to be executed, and that the sentences issued by the court-martial cannot be revised either in their penal or their civil finding by the local Tribunals.

In connection with the case of the village of St. George, a certain Colives, one of the eleven persons condemned by the court-martial, has more than once submitted to me that he was not even at that village when it was plundered and burnt, and that he had been falsely accused by the former Demarch, who was of the opposite political faction, in order that he might be deprived of his civil rights, and his post occupied again by his political opponent, a

Christian like himself; that he had brought an action in the Court of First Instance at Rethymo, where the same witnesses, including a Mussulman, who are said in the sentence of the court-martial to have deposed against him, declared that they had never seen him at the village of St. George on the occasion of its destruction, and that in consequence thereof a sentence was issued in his favour, which was brought before the Appellate Court, but that the latter refused to proceed with the case in consequence of Djevad Pasha's instructions. He further stated that, while he could produce the most positive proofs of his innocence, he would be a ruined man if the sentence were carried out, as by it the eleven men found guilty (of whom he is one) are jointly and separately responsible for the payment of the indemnity of 153,000 pesetas awarded by the Court, and he is the only one who has any property.

I persuaded him to submit his case direct to the Vali, to whom I myself spoke on the subject, pointing out that it was a very hard case if the statements of the plaintiff were true, and asking whether it would be possible to find some means for discovering the real state of things. His Excellency answered that he did not object to Colives dissociating himself from the responsibility of the condemned parties by proving his statements, but that this should be done independently of the sentence, as he could in no case allow its reversal. The term of hard labour originally inflicted was dropped from the sentence, but it was stated at the time by the Government that the other part of it was to hold good, viz., that relating to the payment of the indemnity. As this covers the damages on both real and movable property, I pointed out to Djevad Pasha that, in consequence of the later decision taken by the Porte with regard to indemnities for houses, it might be fair to deduct from the 153,000 pesetas the value of the buildings destroyed or burnt, and to assimilate it to the general rule for indemnities under this head without making any exception in the case of the village of St. George or in any other, but his Excellency said that it was impossible to follow the course I suggested to him. However, this would also be favourable to the Mussulman sufferers, as I understand that five of the condemned individuals are outlaws, and the other five have very little, if any, property to indemnify them in full.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 7.—The Marquess of Salisbury to Rustem Pasha.

M. L'AMBASSADEUR,

Foreign Office, January 13, 1891.

ON the 16th ultimo your Excellency was good enough to leave at this Office a Memorandum on the subject of a proposal to levy, for a fixed term, a small surtax on imports in Crete for certain public works and for educational purposes.

I have the honour to inform your Excellency that Her Majesty's Government have no objection to offer to the above scheme, provided that the following conditions be observed :—

1. That the tax be levied on all foreigners and natives alike ;
2. That it be not increased except with the consent, previously obtained, of the Consular Representatives of all the Powers ;
3. That the objects for which the proposed tax is to be levied shall be clearly stated ; and
4. That whatever sums may be raised by the tax shall not be applied to any other purpose.

I have, &c.,

Rustem Pasha.

SALISBURY.

No. 8.—Consul Biliotti to the Marquess of Salisbury.—(Received January 15.)

MY LORD,

Canea, Crete, January 5, 1891.

WITH reference to my despatch of the 29th ultimo, recent information received by the Vali is to the effect that Liapis landed with ten cases of ammunition in the district of Selinos, where two out of the four men who accompanied him abandoned him in consequence of a quarrel ; that he proceeded thence to Sphakia proper, where he recruited four men, and then left for the district of Ayos Vassilios and Rethymo. The information which I have obtained from other sources is much the same. Djevad Pasha is of opinion that Liapis was compelled by the Sphakians to leave their district, as it was only on the condition of their keeping it free from outlaws that they were allowed to have a native gendarmerie, and that they do not care to lose on his account the salaries they derive therefrom. Well-informed Christians assure me that the inhabitants of Sphakia have intimated to Liapis that he must return to Greece, and that he is likely to be compelled to do so.

Some say that neither the Greek Government nor the Cretan Committee at Athens, nor the Opposition to the Greek Ministry, had anything to do with his expedition, but that it was organized by a certain Ritzinos, a Deputy of the Greek Chamber whose election was invalidated. Most people, however, believe that the

Archimandrite, Parthimos Kilaidis, of Leghorn, to whom I referred in my despatch of the 20th June last, and who last year raised money by subscription in Italy, has furnished Liapis with 10,000 fr. to start his venture. His arrival has caused great consternation among Mussulmans; they expect to be exposed to outrages which the Government will be powerless to prevent; and they complain that there is no more security for them now than in the past, and that after all the foreign gendarmerie is not more efficient than the native gendarmerie was. As public opinion among Christians is quite adverse to the present expedition, Liapis may be compelled to return to Greece; but I am told that letters have been received from influential Chiefs of Apokorona now at Athens telling their countrymen to keep themselves in readiness for a movement.

In this connection I am informed that Gogonis, one of the four escaped political prisoners now at Athens, has abandoned Sifaka and Kakouris' party (the Conservatives), which caused all the trouble in 1889, and joined Captain Mathio, the principal Liberal leader of Apokorona, to which district all these Chiefs belong. Sifaka and Kakouris seem to have written here to inquire as to the impression produced on the population, whether Christian or Mussulman, by the arrival of Liapis, as they intend to send here another party of armed Cretans, but are not agreed on the time when they should be dispatched, some wishing to send them at once, others within two months. In consequence of this communication little doubt can remain as to their participation in Liapis' expedition, and of the fact that the refugees at Athens (nearly all of whom are Conservatives), having been deprived of the subsidies they have hitherto received, have themselves turned against M. Delyanni. The latter is attentively watching and trying to defeat any move on the part of Cretan refugees, whether Conservatives or Liberals, from fear that they may be promoted by M. Tricoupi. At the same time, although the Greek Government does not favour trouble in Crete just now, and does not appear to take any part in the ecclesiastical question, it is, nevertheless, believed to be urging Christians through its secret agents to stand by the Patriarch in his conflict with the Porte.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

*No. 9.—Consul Biliotti to the Marquess of Salisbury.—(Received
January 21.)*

MY LORD,

Canea, Crete, January 11, 1891.

BESIDES the murder of a German traveller, which I reported in detail in two preceding despatches, the number of assassinations within the last month is limited to two. One is that of a Mussulman, killed by four Christians near the town of Sphakia, where he had gone, it is said, in order to become a Christian, but he was suspected of being a spy; the culprits have not been apprehended. The other is that of a Christian miller, near St. Constantinos, in the Province of Rethymo; the author of this murder, who is in prison, is a former gendarme, named Turk Ahmed, against whom Christians bitterly complained seven or eight months ago. He is supposed to have committed the murder in revenge for the miller having assisted in October last in the elopement of his daughter with a Christian who is now in Greece. He is presumed to be the murderer of another Christian who was shot dead near the village of Petré about that time. It was reported at first that the corpse of the miller was shamefully mutilated, and that his child, a boy of 4 years old, had been thrown into a well; but both these rumours have proved unfounded.

There has also been an attempt at murder by a Mussulman on a Christian on the main road to the village of Galata. A gendarme was knocked on the head a few days ago with a stick on the high road near Vamos (Apokorona) by two Christians, and was robbed of his rifle. A Sphakian was rather seriously assaulted by one of his fellow-townsmen. And a Christian funeral procession, passing through a Turkish quarter in the town of Canea, was insulted by having waste vegetables thrown at it from the windows of a Mussulman's house. All these cases are being investigated.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

*No. 10.—Consul Biliotti to the Marquess of Salisbury.—(Received
January 21.)*

MY LORD,

Canea, Crete, January 12, 1891.

WITH reference to my despatch of the 29th ultimo, I have the honour to report that Liapis, whose band is reported to consist of seven men, on his departure from Sphakia proper went to Rodakino, in the district of Ayos Vassilios, sat in the café of that village, and treated the Albanian gendarmes, to whom he is unknown. The café-keeper not having consented to entice the gendarmes to leave

their station as he wished him to do, Liapis later in the day laid in ambush, and shot dead one of the four gendarmes stationed in that village who happened to go out on an errand. The villagers subsequently took charge of the remaining three gendarmes, and conducted them in safety to the military authorities stationed at the village of Kosare. Meanwhile, Liapis had taken up a position on the heights of Kotsifos, a short distance from Rodakino, and fired without result on a few other gendarmes who were passing by. On Friday last he was at Drama, on the confines of the district of Rethymo and Apokorona, and fired on a squad of soldiers who were in the neighbourhood, and were not aware of his presence, slightly wounding one of them. Subsequently, four shepherds who happened to be near were bound and conveyed to Vamos by the soldiers.

According to reliable information just obtained, Liapis landed at Tripiti in the easternmost part of the district of Selinos. He crossed the whole of the district of Sphakia without being in any way interfered with by the native gendarmes, with four of whom he even left cartridges, and who are now in prison for that reason. Liapis stated that the Cretan refugees wanted to make a demonstration in connection with the ecclesiastical question, and that he came first, other armed Cretans promising to follow him shortly; but that he does not intend to remain here long if he receives no assistance from without. His band had increased to ten men, but two of them have parted company with him in consequence of bad blood between them and one of his followers, and another is very ill.

Liapis intended to proceed to the district of Messara in Candia, while one of his companions tried to induce him to come to that of Cydonia. But, whatever may be his final decision, his route is expected to be marked by murders or attacks on the foreign gendarmes and troops. Liapis' kinsmen are the only Cretans who appear not to be displeased at his presence here, but, except the members of the family who have to take vengeance on him, no Christian will lift his hand against him.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 11.—Consul Biliotti to the Marquess of Salisbury.—(Received January 21.)

MY LORD,

Canea, Crete, January 13, 1891.

I HEARD lately that the Porte had refused to sanction the proposed reforms concerning the Courts of Justice which have

been strongly recommended both by Shakir and Djevad Pashas, and are ardently desired by the Mussulman as well as by the Christian population at large. As the refusal of the Porte cannot arise from fear of opposition from any quarter in the island, it can only be presumed that the Imperial Government is actuated by the wish to keep to the letter of the Firman, which intrusted to the General Assembly the care of introducing the necessary judicial reforms. But this policy may involve a longer delay than the Porte seems to expect, as local politicians consider that the election of Deputies would be an acceptance by the Christian population of the Firman; and the population generally fears that the holding of elections would revive the now dormant political factions, and for many reasons considers that General Assemblies have hitherto produced much evil and very little, if any, good results.

As for one reason or another the whole population is disinclined to elect Deputies, according to present appearances no Assembly will take place this year, and in that case it is impossible to foresee when another Assembly will be convened by the population. Under these circumstances the question is, whether it is good policy on the part of the Porte to keep this island for an indefinite period with Tribunals which satisfy only those who obtain unjust sentences in their favour, or whether it would not be better, in the absence of a General Assembly, to make reforms in the Tribunals in accordance with the spirit, if not with the letter, of the Firman.

It would be a mistake to suppose that the much-desired judicial reform may serve as an inducement to Cretans to elect Deputies, or that the scheme can be carried out after it is ascertained that no Assembly will take place. It will have no influence whatever in the first case, and in the second it may happen that the Christian population may not be so well disposed as it is now, and that what is perfectly easy to-day will be impracticable one or two months later. This island is so subject to sudden changes that it is imprudent to postpone any measure which offers a reasonable prospect of success if immediately carried out.

I beg at the same time to call attention to my despatch of the 17th June last, on the subject of reforms.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

*No. 12.—Sir E. Monson to the Marquess of Salisbury.—(B
January 29.)*

(Telegraphic.)

Athens, January 29.

THE action of the Hellenic Government in persuading holders of cartridges not to send them to Crete, and in prohibiting filibustering expeditions to that island, appears to me to be correct; but M. Deligeorges thinks that the present would be a favourable moment for the return to the condition established by the Halepa Pact, and the appointment of a Christian Viceroy with guarantees such as those secured in the case of the Lebanon. He thinks that at the same time a general amnesty should be proclaimed.

Should nothing of the kind be done, he anticipates that there will be a revival of disturbances next spring, and fears that the maintenance of repression here will encounter serious difficulties.

I have repeated this to Sir W. White.

*No. 13.—Sir E. Monson to the Marquess of Salisbury.—(B
January 30.)*

MY LORD,

Athens, January 30.

IN recent despatches from Canea Mr. Consul Biliotti has mentioned the arrival of, and the outrages committed by, Liapis and his associates, and I am sorry to say that in the Athenian press these deeds are described as heroic, and that the dissatisfaction expressed by Mr. Biliotti mentions as being caused by them among the Cretans. In the island does not seem to be in any way reflected here. On the contrary, there is a rumour that more armed Cretans are about to follow Liapis' example, and M. Delyanni is bitterly attacked even by some of his own supporters, for having lately ordered the seizure of a quantity of cartridges intended for the use of the guerilla bands.

There has at the same time been a considerable movement of homewards of peaceably disposed refugees, and this movement is continuing, and is likely to be even augmented, inasmuch as the Government have decided to stop the subventions. This is due, I imagine, not so much to political motives as to the necessities of the Treasury, and the extreme difficulty of finding money for other and more pressing purposes.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONTAGUE

No. 15.—*Consul Biliotti to the Marquess of Salisbury.*—(Received February 3.)

MR LORD,

Canea, Crete, January 26, 1891.

WITH reference to my despatch of the 12th instant, I have the honour to report that on Thursday last I received by the post from Rethymo, in a sealed envelope addressed to me, a manifesto addressed by Liapis to the Consuls of the Great Powers of Europe and America, dated White Mountains (*i.e.*, the main range between this and the south coast), ^{30th December, 1890}_{11th January, 1891}. The contents of this manifesto are as follows:—

Within the last ten years Cretans having obtained by arms an autonomy of some sort, have lately asked for a reform of certain abuses. In answer the Porte has adopted military measures which have opened an incurable wound. The fanatical native Mussulmans have taken to plunder and incendiarism and to dishonouring Christian women. The Local Government, acting with the greatest partiality, attributed all the evils in the island to Christians, some of whom were tortured or imprisoned, while others were exiled or murdered. Ever since the condition of the island has been unbearable. Murders of Christians, desecrations of churches, and other barbarous affronts are the order of the day. As if all these outrages were not sufficient, Greek Orthodox churches were closed, owing to the Turkish Government wishing to abolish the privileges granted by Mahomed II. Liapis says that Cretans being slaughtered like animals, their wives being dishonoured, their churches being tampered with, and finding no protection, he and his companions, following the example of their forefathers, have taken up arms in order to maintain the political liberties and rights of the island. He ends his manifesto by stating that he gives these explanations to the Representatives of the Great Powers and of America in order that his present move may not be misrepresented by those who have an interest in so doing.

Liapis is being hotly pursued by three small corps of soldiers and gendarmes of about sixty men each. There are in each corps an officer and a few native gendarmes, and the Vali is sanguine that Liapis will be either captured or killed, a price of £ T. 100 having been set on his head, dead or alive. But it is not likely that serious steps will be taken by the native gendarmes, who, owing to their knowledge of the individual and of the country, are alone in a position to act effectively. At the same time one of Liapis' relatives told me that the native officers and men would send word to him to return to Greece in order to relieve them of their difficult position, and he is expected to do so shortly, the more so as the promised contingent of armed Cretans from Greece has not made its appear-

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ance. In the meantime, Liapis has divided his band, which seems now to consist of nine men, into three corps, so as to render detection less easy.

It would appear that Liapis was under the impression that the dissatisfaction created by the ecclesiastical question would have induced several of the Christian inhabitants of the island to join him, but in this he has been disappointed. Nothing has been heard of Liapis for the last fortnight, but I cannot say whether this is due to his being pursued by the gendarmerie or to some other cause.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 16.—Consul Biliotti to the Marquess of Salisbury.—(Received February 3.)

MY LORD,

Canea, Crete, January 27, 1891.

WITHIN the last ten or twelve days a succession of outrages has taken place in the Province of Rethymo, which are thus described by Mr. Vice-Consul Trifilli, in a despatch dated the 19th instant.

In the village of Milidoni, district of Mylopotamo, while the gendarmes stationed there were playing cards in a neighbouring café, some Christians, who have not yet been discovered, entered the deserted station and carried off some rifles, which the Vali stated to me to have been four in number, together with their respective cartridges.

During a Christian wedding at Garazzo, another village of the same district, some gendarmes who were there got drunk and killed a Christian with whom they had quarrelled. His relatives in retaliation killed one and wounded another gendarme, but according to Djavad Pasha the number of gendarmes killed was two, and they were attacked in their station after the murder of the Christian. The Governor of Rethymo, the Colonels of the troops, and an officer of gendarmerie proceeded at once to Garazzo with a sufficient number of troops and gendarmes to maintain order and make an inquiry.

About the same date, in the village of Platania, district of Amari, a Christian returning at night from the café to his house was murdered by a Turk. I further heard yesterday, by telegram from Mr. Trifilli, that a few Mussulmans had migrated from the country to the town of Rethymo, and that the Christians of the neighbouring villages having protested, the Government had promised to put a stop to the movement. Two fresh murders, one of a Mussulman, the other of a Christian, have taken place in the district of Amari, but, bad weather having prevented the mail-

steamer from calling at Rethymo, I have not received a detailed report on the occurrences from Mr. Trifilli.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 18.—Sir E. Monson to the Marquess of Salisbury.—(Received February 5.)

MY LORD,

Athens, January 29, 1891.

THE presence at this moment of a squadron of Her Majesty's ships in Suda Bay led M. Deligeorges to refer this morning to the persistency with which rumours are put about of the designs of England upon Crete.

His Excellency said that, of course, he himself attached no credit whatever to these rumours; but he believed that both at Athens and Constantinople there are many who place credence in them.

I told M. Deligeorges that I was glad that he, at any rate, was one of the unbelievers; adding that I really could not understand how such an idea could still appear credible to any one in the face of all the trouble which Her Majesty's Agents abroad had taken to show its absurdity.

M. Deligeorges observed that no public official denial had ever been given to it, and he made the same remark upon the subject which M. Tricoupi has done, that Her Majesty's Government might some day find themselves driven to an occupation of the island by the force of circumstances.

He then proceeded to refer to the existing condition of affairs in Crete, and the action taken by the Government here to prevent filibustering expeditions. He presumed that I knew that all the cartridges accumulated by the Cretan Defence Committee had not been, and would not be, delivered to the insurgents, and that the Greek squadron had again been patrolling the coasts to prevent the passage of more desperadoes of the Liapis type. All that could be done had been, and would be, done by the Government; but as the spring advances, and the snow melts on the Cretan mountains, the temptation to guerilla warfare will become stronger, and as ammunition can easily be procured and landed in Crete in sufficient quantities to carry on such irregular warfare, he fears that unless some step is taken by the Ottoman Government to do away with all pretext for it, by re-establishing the pre-existing condition of affairs guaranteed by the Halepa Pact, it will recommence, and will bring back all the troubles which have for the moment ceased.

His Excellency said that Djavad Pasha has reported to Constan-

tinople that the island is completely pacified, and the military force has been reduced to some 7,000 or 8,000 men. But Djavad Pasha is mistaken in thinking that all danger is over. Even a force of three or four times the present garrison could not cope successfully with guerilla bands during the months when the country is open; and the Greek Government is aware that there are the materials for the formation of such bands here and in Crete, and that there are many people in Greece who are working hard to start them. The interest of the Porte clearly is to bring about the return of tranquillity by reverting to the state of things which existed before the Firman.

There is no illusion on the part of any one as to the power of the Sultan to crush an insurrection in Crete, and the irregular warfare he spoke of would not be undertaken in the hope of winning the independence of the island, or her annexation to Greece, by force of arms.

But the feeling among what is called the Conservative party of Crete is that it is impossible to acquiesce in the present state of things, and although the Liberals are more numerous and are peaceably disposed, they will not be likely to resist the taunts and arguments of their opponents, whose reasoning is that the Cretan cause will have a better chance of eventual success if the Sultan can be driven by the continual worrying of insurrectionary movement to withdraw all the concessions, and give the islanders the pretext of appealing for sympathy as a down-trodden race.

His Excellency said that he knew that language of this kind had been employed by the Conservative refugees here to their Liberal fellows, and that he had been told that it was the same thing in Crete. It was fallacious, but it might be effective.

He went on to say that should irregular warfare and murder of Cretan Mussulmans recommence on an extended scale, all the former scenes would be re-enacted. The Mussulmans would desert the rural districts, the Christians would fly from the towns, many would again leave the island, would repair to Greece, and asylum could not be refused them. The Porte would be forced to send more troops, and to re-establish martial law, to the detriment of the military strength and of the financial resources of the Ottoman Empire, and to the certain recrudescence of excitement in Greece.

All this could be avoided if advantage were taken of this moment of comparative quiet to carry out what had been recognized as essential to the pacification of the Christians, above all the appointment of a Christian (Greek) Vali, whose term of office would be guaranteed at five years' duration by an understanding with the Great Powers to that effect. The Sultan had a few such officials at his disposal; but even these would be able to effect

nothing of value unless they were honestly allowed by the Central Government to carry out their administration without interference. The nomination should be accompanied by a general amnesty, and by a return to the *status quo* before the last Firman.

I told M. Deligeorges that I was inclined to agree with him as to the expediency of a Christian Governor, and that such a man as Photiades, if he could be persuaded to accept the appointment, would probably succeed in being as popular as he was during his former tenure of office; but that there are great difficulties in the way of such an arrangement as he had sketched out, and I doubted if it would ever be possible for the Great Powers to enter into it, so far as their united concert in the nomination of the Vali is concerned; but I said that I would of course report to your Lordship the tenour of his conversation.

M. Deligeorges said that as it appeared that all the Great Powers had recently been giving identical advice at Constantinople on the Armenian question, and as they must all be anxious to see this Cretan question finished and done with, he could not help hoping that they might agree to follow the same course with regard to it, and that he was disposed to think that a hint from Her Majesty's Government would go a long way in this direction.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

No. 21 — *Consul Biliotti to the Marquess of Salisbury.*—(Received February 13.)

(Telegraphic.)

Amari, Crete, February 13, 1891.

I HAD the honour to report in my despatch of the 7th instant that two Christians and one Mussulman had been murdered in Amari, and that I intended to visit this district.

I have just arrived, and find that one Christian and one Mussulman have been murdered this morning. Christians fired upon Governor and suite about 100 rounds when he was coming back after dark from inquiry he held on the spot of the murder. The few soldiers and gendarmes who accompanied the Governor having not returned the fire, no casualties occurred.

A few days ago the tithe registers were carried off by native Christians, who surrounded during the whole day a few gendarmes, to compel them to return the tax collected.

These details have been given me by the Governor and the officers who accompanied him.

Very serious events may take place if immediate and energetic measures are not adopted.

No. 22.—Consul Biliotti to the Marquess of Salisbury.—(Re Amari, Crete, February 15.)

(Telegraphic.)

Amari, Crete, February 15.

WITH reference to my telegram of the 13th, I have the honor to report that Christians maintain that the story of their being fired on Governor is not true, that in order to incriminate himself ordered a volley to be fired, and that a false color was given to the facts by the exaggerated report of the Captain of gendarmerie; but Christians admit that, an unsuccessful attempt having been made five days previously to carry off the tithe money by two Christian outlaws, they made off with the tithe money. The terror of the Kaimakam when he arrived at the moor appeared to me quite genuine, and it may be that the volley fired by outlaws arrived from Greece. In the second case the truth may lie between the extenuation of Christians and the exaggeration of the Captain of gendarmerie. No further registered incidents have taken place yesterday or to-day. The vessel expected to-morrow at Rethymo on his way to this district, and the weather is boisterous.

No. 23.—Consul Biliotti to the Marquess of Salisbury.—(Re Canea, Crete, February 17.)

(Extract.)

Canea, Crete, February 17.

LAST Sunday week I was told for the first time by a Christian Liberal leader who came from Candia on board the Greek steamer from the Piræus, that Christians were beginning to express the desire that one of their co-religionists should be appointed Governor. A few days after another Christian Liberal leader told me the same thing. Minute inquiries at Canea convinced me that up to this time no such feeling had been expressed among the people of the island or country. I therefore came to the conclusion that it had been imported from Greece. From further information that has been gathered, it would appear that the Greek Government is making demands put forward by the Cretans, and put them off from spring, as Europe does not wish that there should be trouble in Crete; that Archdeacon Kelaïdes and the Cretan Committee in Greece, which exclusively consists of Liberal Cretans, think they should not allow the Cretan question to drop, but that they should keep it open by maintaining armed bands on the island. In connection with this scheme, it would appear that a fresh

dition of outlaws is likely to take place in a short time. In this fresh band are enrolled the murderers of the Turkish soldiers at Malaxa (reference to my despatch of the 20th July last). Having nothing to expect from Europe just now, they hope by these means to compel the Sultan to recall the last Firman, and to appoint a Christian Vali.

According to another rumour, several of the Conservative Cretans at Athens approve the plans of their Liberal colleagues; but from personal inquiries here I find that all the Conservative and several Liberal leaders disapprove the scheme. There is, however, among the Christian population, irrespective of political faction, a general feeling of despondency. They say that they were in hopes that by taking in hand the local administration, the Imperial Government would have improved the condition of the island, but that, on the contrary, it is getting worse.

It is quite certain that whatever the Porte may do it will never succeed in satisfying Christians, owing to the deep-rooted feeling of the Christian against the Turk. But Christians have some real grievances, which if removed would do away with all reasonable motive of complaint on their part. The present demands of the Cretans are three in number: firstly, judicial reform; secondly, the more regular assessment of the tithe tax; and, lastly, some improvement in the gendarmerie. Although I have spoken at length on all these heads in different despatches, it is as well, perhaps, to again give an outline of each of them:—

Tribunals.—The last Firman empowered the General Assembly to introduce the necessary reforms, but maintained the privilege granted to the Cretans by the Halepa Pact, of electing their own Judges. The last point was a great mistake on the part of the Imperial Government, as most of the evils from which this island is suffering arise from the abuse of this privilege.

As some months were to elapse before the meeting of the Assembly, and the island was greatly suffering from the mal-administration of justice, Shakir Pasha, compelled as he was to keep to the terms of the Firman, drew up a project in which he managed to maintain the principle of election, but, at the same time, to minimize the evils ensuing therefrom. The principal features of this scheme consisted in getting elected bodies, such as Administrative Councils, the Demarchs, and Elders, or one or more of these bodies, to draw up in each district a list of all the individuals considered fit to fulfil the functions of Judge. These lists were to be posted up and subjected to public criticism, being liable to alteration in case of well-grounded objections to individual names. Double the required number of Judges were to be chosen by the aforesaid elected bodies in the absence of a General Assembly, the

Vali reserving to himself the right to appoint half of them at once on their duties, the other half being kept in reserve up vacancies. A Supreme Court under the presidency of was to be appointed, to take cognizance of accusations of corruption, incompetence, and against Judges, its decision to be final. The Vali was to be empowered to suspend Judges in urgent cases but not to dismiss them, a right reserved to the Supreme Court. I had elaborated this plan with Shakir Pasha, and it was accepted by all Christian and Mussulman leaders as best adapted to the needs of the island. I obtained from the Liberal and moderate parties as well as from one supposed to belong to neither party a list of the persons considered by them as fit to fill the functions of the Court, and there were individuals named by all parties. This scheme was submitted by Shakir Pasha to the Sublime Porte upwards of a year ago. On his coming into office, Djevad Pasha introduced modifications which in no way altered the main principles laid down by his predecessor. Since the time when the original plan was drawn up, I have been led to think that if the Supreme Court were to consist of two foreigners under the presidency of one, and if the Procureur Impérial, as well as the President of the Court of Appeal, were also foreigners, there would be full security for the restriction of abuses in the lower Courts.

I explained in my despatch of the 13th ultimo that the apparent reason of the Porte's delay in acting on the suggestion of the two Valis was its desire that the reforms should be carried out by the General Assembly; and I also pointed out that the meeting of this body was likely to take place this year, and that the indispensable judicial reforms might thus be left in abeyance until an unknown period. It appears strange that the Porte, in availing itself of the only opportunity which has ever occurred for satisfying the public at large while promoting its own interests, should, according to all appearances, be doing its utmost to bring about at just the opposite result; and it is especially remarkable that the Porte should be anxious for the meeting of a General Assembly which has been always more or less opposed to the Government.

I beg to call special attention to another fact which should not escape the Porte's notice. On the ^{30th May}_{1st June} next the term of the present Judges, Demarchs, Elders, &c., comes to an end, and then the island will be left without Courts of Justice, and without elected bodies to carry out Shakir and Djevad Pasha's scheme for the reorganization of the Tribunals. When things come to pass the Porte will find itself obliged to convene a General Assembly on any terms, and thus abandon the regulations laid down in the Firman for the election of Deputies to the General Assembly. If that should be the intention of the Imperial

ment, there is nothing more to be said, but it seems hardly credible that it should be so.

Tithe Money.—The system of substituting a fixed sum of money per olive tree in lieu of the tithe gives general satisfaction, but, at the same time, not a few complaints in consequence of the irregularity in its assessment. In some cases owners of olive trees pay half what they should pay, in others twice as much, for the simple reason that all trees are subject to an equal tax in each commune. The general opinion is that trees should be divided into three classes according to their size and power of production. The Vali admits this principle, and has assured me that he is prepared to make a regular assessment in March next. I think that it would be equitable that, on the basis of this assessment, allowance should be made in the collection of this year's tithe for the inequalities in last year's assessment.

Gendarmerie.—There is a general complaint that the duties of this corps are limited to collecting the taxes, and that they do not afford any protection to the population against the destruction of trees and plantations, and cattle-lifting. Not long ago I made the remark to Djavad Pasha, who answered that the Government had to receive £ T. 130,000, out of which only £ T. 50,000 had been collected, and, on inquiry, I found this to be true. In order to prevent cattle-lifting gendarmes should be stationed on the mountains, where they would be murdered, and cattle-lifting be carried on all the same. To this Christians agree, but they say that gendarmes refuse their assistance to Demarchs in capturing Christians accused of destroying trees and plantations near or round the villages. I told the leader of one of the political factions, who made a special complaint on the subject, to give detailed cases for me to submit to the Vali. At the end of the week he came back, saying he had not been able to ascertain any case in the Province of Cydonia (Canea); but that in the village of Koufi, commune of Arghiropolis, district of Rethymo proper, the gendarmes stationed there, being requested by the Demarch to apprehend Christians who had destroyed olive trees and vineyards, replied that they had not orders to do so. I fully admit that in many cases the conduct of the Albanian gendarmes leaves much to be desired, as, for instance, in the cases reported in my despatch of the 27th ultimo, I understand that the four rifles and ammunition mentioned therein were not carried off, but simply concealed by the Demarch as a proof of the inefficiency of the gendarmes stationed in his village, of which he had often complained to the higher authorities. An improvement of some sort is certainly required in this corps; but, by the avowal of some Christians themselves, foreign gendarmes on the whole, without being much worse than native gendarmes, present the advantage

of belonging to no political faction; and I must say that at Sphakia, where the gendarmerie consists exclusively of Christian natives, the condition of the district is not in any way superior to that of the other districts of the island.

I now revert to the question of a Christian Governor-General as connected with the present condition of the island. As no Christian can be a military man in Turkey, a Vali of that persuasion could have no authority over the Commanders of the troops, and in any emergency the power would be divided, as was the case under Nicolaki Sartinski Pasha, both civil and military authorities declining all responsibility. Besides, a Christian Vali cannot have the same influence as a Turk over the Mussulman population. All Christians agree on the first point, and on the second they make a simple exception in favour of Costi Adossidi Pasha, whom they all consider to be the only Christian they know fit to be appointed Governor-General at this juncture. The main reason advanced in favour of the appointment of a Christian is that it would satisfy Christian public opinion in Crete, and establish a confidence which they can never feel under a Mussulman Vali.

Some leading Christians think that the island cannot be governed without the will and co-operation of the Christian population, and that a Christian Vali would draw around him his co-religionists, who now keep at a distance from the Turkish Vali, and that the meeting of an Assembly would be possible, on a condition of which I shall speak hereafter. All this is perfectly true, but, as is maintained by some other Christian leaders, whose opinion I entirely share, such a change would be fraught with peril for the island. In fact, Christian political parties are now dormant, but if a Vali of their persuasion were appointed, they would overwhelm him with applications for posts for themselves and their relatives and friends, and it can be foreseen that political parties would revive with more animosity than ever. Even those who advocate the appointment of a Christian Governor-General regard such a result as probable, but do not think that it would be immediately produced. The most sanguine of them think that party strife might be warded off for three years, provided that a General Assembly were convened by universal suffrage, and not in conformity with the electoral system established by the last Firman. In a word, even according to them the appointment, pure and simple, of a Christian Vali, would not be a remedy unless it were coupled with a surrender of one of the points of the Firman, viz., that of the elections.

The suggestion concerning the appointment of a Christian Vali, which is likely to be soon propagated in the rural districts, will certainly be accepted with the greatest satisfaction by the Christian population; but the practical result would be all against the tran-

quillity of the island, especially if the suggestion were enforced by the expedition of armed bands from Greece.

One of the principal leaders agrees with me on this point, and thinks that his co-religionists should at least postpone the recourse to armed force until such time as they are convinced that the Porte will not take any measures to redress their grievances, that is, until the beginning of June next.

But I understand from a leader who has just come from Athens that about fifty outlaws are on the point of embarking for this island, and that their programme, which is accepted by some of the leaders at Athens, also includes a general amnesty to all the perpetrators of murders during the last troubles; and that, although Greece is not inclined to support them, and Europe does not seem disposed to attend to their claims, they intend to force attention to be paid to their island, as they cannot continue to live under the present system of administration; and that the appointment of a Christian Vali, with the sanction of Europe, is the only *modus vivendi* suitable to the wants of the island until the time comes for union with Greece.

The presence of bands of outlaws in Crete is not likely to lead to a general outbreak; but the more causes of discontent there are among Christians the more propitious a field will the outlaws find for their exploits.

By vigorously taking in hand the reforms or improvements mentioned under the three aforementioned heads the Imperial Government may minimize the expected evil, and perhaps even prevent it altogether, if, in addition, an amnesty be granted to the sixteen political prisoners.

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 26.—*The Marquess of Salisbury to Sir W. White.*

SIR,

Foreign Office, February 20, 1891.

MR. CONSUL BILIOTTI, in his despatch of the 4th instant (copy of which he forwarded to your Excellency), adverts to the unsatisfactory state of the administration of the Island of Crete.

Mr. Biliotti draws attention to the delay of the Porte in carrying out suggestions which have been submitted by successive Valis, and urges the pressing necessity for the introduction of reforms in the administration of justice, the assessment of tithes, and the functions of the gendarmerie.

I shall be glad to receive any observations which your Excellency may have to offer on these and other points which are referred to in the above despatch.

I am, &c.,

Sir W. White.

SALISBURY.

No. 27.—Sir E. Monson to the Marquess of Salisbury.—(February 23.)

MY LORD,

Athens, February

MR. BILLIOTTI's telegram of the 13th from Rethymon, he reports the firing upon the Governor, and the serious things which may result from this outrage, is an unpleasant confirmation of the anticipations of disturbances which, as your ship knows, have recently been prevalent here.

There is no doubt that attempts are being constantly made by small parties of Cretan desperadoes to elude the vigilance of the Greek authorities, and pass the narrow seas between Greece and their island. But the weather has latterly been so tempestuous as to render these expeditions difficult; and one, at least, has already failed on this account.

These hindrances, however, will, with advancing spring, come to an end; and as for the efforts of Greek cruisers and filibusters on their voyage across, there is a general confidence based on the avowed lukewarmness of the naval officers engaged on the service, that no serious difficulty will be placed in their way in such adventures.

The Hellenic Government is doubtless most anxious to prevent, as far as they can, an outbreak of guerilla warfare in Crete. As I have said in a recent despatch, public opinion is at this time apathetic on this subject. But the military force in Crete has been so much reduced that the incursion of a comparatively small number of outlaws, provided they have a sufficient stock of arms and ammunition, will cause infinite trouble to the Ottoman authorities on the island.

As to elections to the General Assembly, which ought to take place at once, no one here believes that they will be carried out.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONTAGUE

No. 28.—Sir E. Monson to the Marquess of Salisbury.—(February 28.)

MY LORD,

Athens, February

I HAD some conversation with M. Deligeorges this afternoon, and he has given me a full account of the state of affairs in Crete, respecting which his information appears to be of precisely the same nature as that furnished to your Lordship by Mr. Biliotti.

He told me that the latest departure of Cretan patriots

support Liapis had been caused by the murder of the Christian youth of 18 near the village of Pazzo, the revolting details of which are given in Mr. Biliotti's despatch of the 7th instant, of which he has sent me a copy; and that the band in question was composed of relatives or neighbours of the victim who have sworn to avenge his violation and death.

Of Liapia M. Deligeorges spoke in the very strongest terms of reprobation as a murderer, who since his arrival in Crete has killed no fewer than four Christians from personal motives of his own, and who has only done harm to his country and to the cause which he professes to support. His Excellency deplored that part of the press of Athens should be misled into calling Liapis a "hero," whereas he is nothing but a bloodthirsty outlaw, beyond the pale of any sympathy. And yet not only do some of the Athenian journals continue to write of him as of a Paladin in arms, but a performance is positively announced for this evening at the theatre, the proceeds of which are to be devoted to succouring and supporting him.

M. Deligeorges said that luckily the party which favours insurrectionary expeditions now can do but little in the way of procuring money and ammunition; there being at this moment a general disinclination to help them to make trouble, and the determination of the Government not to countenance filibustering expeditions being generally approved. But he, nevertheless, fears that if things do not mend in Crete excitement may recommence in Greece as the summer advances, and he therefore continues to insist on the expediency of taking advantage of the present "semi-tranquillity" to place the administration of the island on a better footing. He declares that many of the Cretans with whom he has talked are of opinion that a diminution of the electoral system as applied to the different branches of that administration would be most beneficial; but that this reform can only be thoroughly carried out by the nomination of an Orthodox Christian Governor supported by a strong Administrative Council.

According to him these Cretans admit that the exaggerated electoral system in their island, in virtue of which an inhabitant possessing the suffrage might be called up to exercise it thirteen times in one or two years, has been injurious to the real welfare of the island, especially in the particular of the popular election of the judicial body; and he said that he could well understand how much this would be the case, because in his own country the opportunity enjoyed by an elector of recording his vote three times a-year for the various communal and district elections had produced a very deteriorating effect on public morality.

With regard to Crete, he continues of opinion that nothing

effective is likely to be done by the Ottoman Government, the Great Powers take the initiative.

I have, &c.,

The Marquess of Salisbury.

EDMUND M

*No. 29.—Sir E. Monson to the Marquess of Salisbury.—(R
March 1.)*

MY LORD,

Athens, February

A SPECIAL performance at the Greek Theatre, the purpose of which were to be employed to assist Liapis, the Cretan outlaw, who had been for several days extensively advertised in the place last night.

Yesterday, however, in consequence of the energetic protest of the Turkish Minister, and it may be hoped also in consonance with their own sense of what would have been most indecorous and most offensive to a friendly Power, the Hellenic Government directed the police to prevent the performance from taking place.

The Opposition journals attack the Government bitterly on this new proof of their subservience to Turkey.

I have, &c.,

The Marquess of Salisbury.

EDMUND M

*No. 31.—Consul Biliotti to the Marquess of Salisbury.—(R
March 5.)*

MY LORD,

District of Amari, February

WITH reference to my immediately preceding despatch, and telegram of last evening, I have the honour to report that the Christian population of the neighbourhood had congregated at Monasteraki for the burial of the lad murdered near Platanos. On the 13th instant, I refused an invitation to go and see the body of the deceased in that village, and I abstained from visiting any of the neighbouring villages so as not to give occasion for any demonstration. Towards noon I was unexpectedly told that a whole crowd of peasants congregated at Monasteraki, about 100 in number, were coming to Assomatos with the body of the murdered Christian, in order to inter it there, and give me at the same time an opportunity of seeing the corpse. But only the women and a few men entered the court-yard of the monastery, the great crowd consisting perhaps of 150 to 200 men, remaining outside. I begged with great moderation that a few of their leaders should be allowed an interview, I considered I could not refuse, and walked to the gate. They told me that I happened to

their district just as a fresh murder had been committed, that they could not continue to live in perpetual anxiety, and they talked of a Christian Governor and Christian gendarmerie for their district as the only means of restoring order, as they considered that the Mussulman authorities in their district were siding with their co-religionists; but they made no remark against the Governor-General, nor suggestion of annexation to Greece. I replied that they should expect no such changes, but that a reform in the native gendarmerie appeared to be required, and that they should submit their grievances to the Vali, who was likely to come soon, and that for my part I would report to him my observations on the situation. The same leading men came later in the afternoon to see me in the convent. They said that they had no confidence in their present Kaïmakam, who ought to be changed, and that, as the native gendarmerie, which consisted mostly of Mussulmans, abetted Mussulman outlaws, they were prepared to pay themselves a body of Christian gendarmes, and would guarantee to soon purge their district of Mussulman as well as of Christian outlaws. I answered that, as this proposal showed their desire for tranquillity, they would do well to submit their scheme to the Vali, to whom I would also speak on the subject.

Christians appear to be convinced that their present Kaïmakam is the head of a conspiracy of the Mussulman element in their district against the Christians, that Mussulman outlaws find food and ammunition in the military and police stations, and even sometimes wear gendarmes' uniforms. And although the only witnesses whom they presented to me was a Christian, who told me that he had once seen six Mussulmans, whom he supposed to be outlaws owing to the fact that he knew one of them to be such, enter at night stations of gendarmerie and soldiers, I readily admit that native Mussulman gendarmes will not, any more than Christian gendarmes, denounce or apprehend any of their co-religionists, but will facilitate their escape by all means in their power.

Just before my departure from Canea a Christian reported to me an exceptional case which had taken place in Selinos. Information was given to the gendarmerie that among Mussulman women who were to go out on a certain day was to be an outlaw in disguise, and a native lieutenant, who had no motive of revenge against this outlaw, surrounded the party with soldiers and gendarmes, and forced the women to unveil, and in this way captured the outlaw. There is no special cause of complaint against the Albanian gendarmes in this district, and several Christians say that the main cause of their inefficiency is their being unacquainted with the outlaws.

With regard to the soldiers, I was assured at Bethymio by the

Bishop of Amari, that, in consequence of the measures taken by Djavad Pasha, there had not been the slightest complaint against them. One happened to occur just now, and I give it as it was related to me by the Christian Juge d'Instruction who conducted the inquiry. Some soldiers were sent to assist the tithe collector in the village of Carines, and were stationed at some distance from it, near a ruined chapel, only two walls of which were standing and on which there were remains of pictures. One of the soldiers, while sitting there, put out the eyes of a Saint with his bayonet; he has just been found out, and, as the Major in command is a very active and smart officer, it is expected that adequate punishment will soon follow. However, Christians make a great noise about this case.

Now, with regard to the three incidents related to me by the Kaïmakam, and reported by me in my immediately preceding despatch :—

1. Christians admit that in the early morning of last Monday an outlaw and an inhabitant of Fourfoura entered the house in that village of the tax-collector, summoned him to give up the money, and, on his declaring that he had none, tried to stab him; they then searched the house for the money, but failing to find it made off with the tithe registers.

2. The Christians of Fourfoura deny having surrounded the Captain of gendarmes on Friday last, or claimed from him the restitution of the tithes. I sent for Pandeli Diamantidi, who had been mentioned by the Kaïmakam as having taken the Captain under his protection, and his account is as follows: when on Friday the whole Christian population was on foot in consequence of the murder of the Christian near the village of Platania, the Captain was seized with panic, fearing that in the excitement of the moment an attempt at robbery similar to that of the previous Monday would be made on him, especially as a few lads had demanded from him the restitution of their tithe money, saying that the authorities could not protect them. He was, therefore, anxious to get help from the Kaïmakam. Pandeli went to him, assured him that he had nothing to fear, and said he would answer personally for his safety, and guarantee the security of the money. But the Captain being drunk continued in a state of fright, and imagined that fifty or sixty of the inhabitants, who had gathered near the station in order to protect him in case of need, had surrounded him for the purpose of robbing him of the money. The truth is, perhaps, between the two statements, exaggeration on the one side and extenuation on the other.

3. The Christians not only deny having fired a single shot at the Governor and his force, but they say that the firing which was

heard by the inhabitants of the surrounding villages was a volley fired by the troops themselves by order of the Kaïmakam, for the purpose of incriminating them and furnishing a pretext for employing severe measures against them. Having witnessed the terror of the Kaïmakam when he arrived at the monastery immediately after the firing, I can hardly believe that he was playing a part. I have visited the spot where the Kaïmakam's party was fired upon, and each of the two native and three Albanian gendarmes who accompanied me pointed out to me the respective spots where they crouched when the volleys were fired. I cannot suppose all this to be a preconcerted plan, but it is possible that the Christians also spoke the truth if the volleys were fired by outlaws, some of whom were said just before my departure from Canea to have disembarked at Ayos Vassilios, the neighbouring district.

Be this as it may, it is evident that the situation here is such that important and immediate reforms are required in any case in the native gendarmerie. This corps consists of about twenty men, only one-fourth of whom are Christians. The Kaïmakam himself stated to me that they were not sufficient for the service, as at the present juncture he cannot employ Mussulman gendarmes, without endangering their lives, in the western part of his district, which is thickly inhabited by Christians. Among the Mussulman gendarmes there are four or five against whom there have been complaints for a year past, and who have not yet been examined or punished. Two native gendarmes, who were accused last year of having wantonly wounded a Christian, quite lately fired at and wounded in the foot an old man who was ploughing his field. The case is under investigation, but it would not have occurred if the former accusation had not been allowed to pass unnoticed. As the Albanian gendarmes are not personally acquainted with the natives, and as there are no Christian gendarmes left to assist them, they are inefficient for the apprehension of the two Mussulman outlaws, Mazlounaki and the son of Hussein Terzidohous, who are now promoting all the trouble in the district, and this leads the Christians to think that they are in league with the native gendarmes. By increasing the Christian gendarmes to two-thirds, and reducing the native Mussulmans to one-third, this corps would be placed in a position to render real services. I am convinced that this change would greatly tend to improve the situation.

The excitement of the Christians of Amari is quite beyond the usual limits, and may be attributed to the following reasons: Mazlounaki was apprehended a few months back for the murder of a Christian at Platania; his treatment by the gendarmerie was in striking contrast to that received by Christian prisoners, and three days after he was taken to Rethymo he escaped from prison

with two other Mussulman outlaws, one of whom is still at large in Amari (the other was eventually arrested and sent to Rhodes), and the Christians attribute their escape to connivance on the part of the authorities.

The fact that the first recent murder was committed by Mussulman outlaws has confirmed Christians in the idea of a league against them of the Mussulman element, including Government officials.

Finally, the revolting violation of the Christian youth at Paszo, of which there appears to be no doubt, but which popular report has as usual garnished with exaggerated details, and the murder on the 13th instant of the Christian at Platania, have driven the Christian population to the last degree of exasperation. Any reprehensible acts which they may have committed under these circumstances should not be treated with the same severity as in other cases.

The arrest of the two outlaws in Amari, and the carrying out of the changes I have mentioned in the gendarmerie, especially if carried out under a new Kalmakam, would, I am certain, put an end to all difficulties in this district, and the capture of the two Mussulman outlaws at Selinos proves that all is possible when the authorities are really determined to do their duty.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 32.—Sir E. Monson to the Marquess of Salisbury. —(Received March 9.)

MY LORD,

Athens, March 2, 1891.

A DISCUSSION arose in the Chamber of Deputies the day before yesterday as to the action of the police in forbidding the theatrical representation in aid of the Cretan Liapis, referred to in my despatch of the 23rd ultimo.

M. Delyanni spoke at some length in justification of that action, and availed himself of the opportunity to make a statement as to his policy on the Cretan question in general. He explained that his views now that he is in office are the same as those he entertained and professed when in opposition; that he had never attacked the Government of M. Tricoupi for not declaring war against Turkey on behalf of the suffering brethren, nor for having discouraged the insurrection in the island. His sole point had been that M. Tricoupi had neglected to obtain guarantees for the better treatment of the Cretans in return for his co-operation with the Porte for the pacification of the island. When consulted by

the Cretan Committee he had declined to give advice on the ground that the Government was in a better position than he was to do so. He had never when not in office promised that on acceding to power he would encourage an insurrectionary movement. On the contrary, he had always been persuaded that any such movement would be prejudicial to the interests of Hellenism, and the knowledge he had obtained after his accession to office had quite confirmed this opinion, and convinced him that Cretan as much as Hellenic interests would be ruinously affected by a renewal or extension of the outbreak.

After M. Delyanni's speech the subject dropped; a result which seemed to me very significant, and I may add encouraging.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

No. 33.—Consul Biliotti to the Marquess of Salisbury.—(Received March 10.)

MY LORD,

District of Mylopotamo, February 18, 1891.

THE following is the corrected account of the cases concerning this district mentioned in my despatches of the 27th ultimo and 7th instant :—

The report made to me by one of the leading Christians at Canea, that the Demarch of Melidoni, who had often complained without result of the gendarmerie, had concealed the four rifles, turns out to be quite the reverse of the truth. Biraki, the Demarch, stated to me that the Albanian sergeant of gendarmerie, who had been there a year and a-half, had given him so much satisfaction that, the sergeant having gone on two months' leave, he begged and obtained that he should be reinstated in his post there on his return; that owing to the cordial terms on which the gendarmes lived with the population, they have been in the habit of leaving the gendarmerie station without a guard, and that it was not their fault if one or two individuals availed themselves of their being too confiding. There were six rifles in the station, only four of which were carried off, and all the endeavours of the Demarch to recover them have proved unsuccessful.

The reported profanation of a church in the village of Panorma amounted to this, that a solitary picture of a saint in an isolated chapel with a keyless door was scratched in one place, and bore in another certain marks made with a sharp instrument, which Christians say must have been a bayonet. They complain that, although the Mutessarif of Rethymo ordered an inquiry, the Kaimakam, who, however, is a Christian, was satisfied with the

simple assurance of the military commanding officer that no soldiers went that way, although the chapel is only half-a-mile from their station.

The charge against gendarmes of firing and endangering the lives of Christians passing by at Episcopi is far from being substantiated. The Christian Demarch of the commune and Antoni Saridaki, the Christian tithe collector, whom these gendarmes accompanied, stated to me that they fired fifteen or twenty rounds at a target.

The Christian who was wounded in the foot between the villages of Metohin and Castelli was, in fact, an outlaw, and escaped from the hands of the native gendarmes, who were conveying him to head-quarters. He is not dead, as was reported. It was reported to me at Melidoni that shortly after this incident another similar case had occurred near the village of Axos. The Christians who mentioned these facts to me complained that the gendarmes had not bound him, or had only bound him by the waist, and appeared careless so as to tempt him to escape, in order to have an opportunity of shooting him. One of the former great complaints of Christians was that gendarmes conveyed Christian prisoners with their hands bound.

The Demarch of Garazo gave me the following account of the three murders which took place in that village:—

The corps of gendarmerie stationed in the communes of Anoya and Damasta, consisting of five or six men each, having been concentrated at Garazo to the number of sixteen, a few of them were in a café drinking wine, when they broke the glasses and a bottle. The Demarch made no mention of one of them having thrown wine on the ground, saying that he would thus spill Christian blood (as was reported at first); but he said that one of the gendarmes, being drunk, struck a blow with a dagger on one of the café tables, which I saw, and that a scrimmage, the reason of which he could not explain, having taken place, the other gendarmes came to the rescue, and that he (the Demarch) and the sergeant, who was subsequently killed, tried to send the gendarmes back to the station, and that among the crowd of Christians outside the café a youth was stabbed by a gendarme, but that the actual culprit was unknown, no one having witnessed the deed. The young Christian had only time to cross the road and enter the courtyard of a house, when he expired. On hearing of the murder, the Christian crowd made a rush to the gendarmerie station, and the brother of the victim killed the sergeant just outside the door and another gendarme inside the station, by firing through the door. It is the best probable that the same man killed the two gendarmes, as an inhabitant of Garazo, who kept a shop at Castelli, was subsequently

advised by the authorities to close it for some time, as his brother was suspected of being one of the murderers, and the gendarmes from Garazo who were then stationed there might take revenge on him. The door of the gendarmerie station is pierced by two bullets fired from the inside and by two from the outside, and there are numerous marks of bullets on the surrounding walls. The Demarch told me that up to that time the inhabitants had lived on good terms with the five Albanians quartered in their village, and that they had no particular complaint to make against them. After the three murders, the bailiff of the village and a Christian gendarme who happened to be there were placed by the Demarch in the gendarmes' station to prevent further trouble, and they remained there until the arrival of the Governor of Rethymo, who withdrew the gendarmes from the village. The three communes of Garazo, Damasta, and Anoya have been ever since, that is, for the last four weeks, without gendarmes.

On the whole, out of four cases of complaint against the gendarmerie, three are proved to be groundless, and the fourth doubtful. At the same time, all Christians, without a single exception, complain of the gendarmerie, because they afford them no protection against thieves and outlaws, and confine their efforts to the collection of the tithe. On my asking for special cases, they gave me at Melidoui four instances in which they had applied for assistance, which had been refused to them. I must add that all four were cases of cattle-lifting, and that the culprits were on the mountains, where an expedition of foreign gendarmes would probably merely have resulted in their being killed.

Christians also complain that the present Tribunals are practically a nullity, so far as the administration of justice is concerned, and they are dissatisfied with the substitution of a fixed sum of money in lieu of tithe, owing to its unequal distribution. They say that they have no objection to paying even the large amount of taxes which is now claimed from them, provided that they are effectually protected; but as they have no security for their life, honour, and property (a phrase invariably repeated by them all), they do not see why they should pay taxes, and they consider a purely native gendarmerie to be the only means of re-establishing order in the island.

As they spoke in general terms I asked for details, and they replied that they had none to give, as the whole administrative machinery was out of gear, and they did not expect it would ever be in a working condition; that, far from assisting in ameliorating the condition of their island, the Christians would keep quite clear of the present Government, and I understood that even the few Christians who are in the gendarmerie intended to retire, so as to

leave Turkish officials to their own resources. It is quite certain that 5 or 6 Albanian gendarmes, among 3,000 or 4,000 Christians, can afford no protection to the population, unless the latter assist, or at least do not oppose, the former in the apprehension of criminals in the village; but no such thing is to be expected from Christians at any time, especially in their present mood. As for gendarmes going out of the villages for the apprehension of criminals or for the prevention of crime that is out of the question, and the collection of the tithe-money is all, if not more than all, that can be expected of them.

The substitution of natives would leave no cause of complaint to Christians against the Government, but would not better the state of things in any way, and would most likely awake party feeling. The decision which was taken long ago by the Porte, but which has not been fully executed, of enrolling 650 native gendarmes one-third of whom were to be Christians, should be carried out without delay, for all the Christians I have spoken to have told me that they cannot continue to live under the present régime, and I believe that what I have here reported of the districts I have visited is the feeling of Christians all over the island.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 35.—Consul Biliotti to the Marquess of Salisbury.—(Received March 10.)

MY LORD,

Candia, Crete, February 25, 1891.

THE tranquillity which had prevailed for the last few months in this province was troubled by the murder of an Albanian and the wounding of a native gendarme at Zaro, as I had the honour to report in my despatch of the 7th instant. The wounded gendarme has recognized a certain Gaglioli and another Christian in the band of six outlaws who attacked them.

Twelve Christians have been arrested on suspicion of sheltering and giving information to these outlaws, and are still in prison; five of these prisoners have been apprehended by order of the Christian Juge d'Instruction, the remaining seven, whose imprisonment has been ordered by the Government on information given by the Kaïmakam of the district of Kenurio, where Zaro is situated, are considered by Christians as being the object of a persecution on the part of that functionary, who, however, says that he acted on a secret report made to him by a Christian whose name he refuses to divulge.

A few days ago two Christians having been found murdered on the high road near the Mussulman village of Moroni in the same district, the idea prevails among Christians that the crime has been committed by native Mussulmans in retaliation for the wounding of their countryman at Zaro.

The Juge d'Instruction, who has made an inquiry on the spot, has arrested four Mussulmans on suspicion, one of whom is the brother and another a relative of the wounded native gendarme.

In the village of Zaro an Albanian gendarme, a relative or friend of the murdered Albanian at Zaro, levelled his rifle at Christians to take revenge for that crime, but missed aim, a native Mussulman having pushed aside the rifle.

The accidental death is, as reported from Viano, district of Lassithi, of a Christian boy by the discharge of their rifles by an Albanian squad, who rejoiced at their being removed to other quarters.

I was told everywhere on the road, and it was repeated to me here, that the gendarmerie were depriving Christians, including shepherds, of their knives, and were compelling them to pay a fine of $1\frac{1}{2}$ Turkish dollars, and that, in any case, shepherds could not do without a knife, which is an absolute necessity for their simple wants in their wanderings for long intervals on the unfrequented mountain slopes and valleys. The Christian Under-Governor of Candia, who is considered by his co-religionists to be a very upright man, explained to me that shepherds were allowed to carry not only knives, but also rifles, in order to defend their flocks against thieves, but that they should provide themselves with a written permission from the Demarch of their village, and that he had heard of no case wherein shepherds who had complied with this formality had been deprived of their arms, and, still less, of their knives.

On application, permission is also given to go out shooting in the vicinity of Candia.

It was reported to me that, a few weeks ago, the gendarmes were stopping at the gates of Candia all travellers entering or leaving the town, were searching them, and confiscating not only knives, but pocket-knives, even clubs which some peasants are in the habit of carrying; that a village priest had also been submitted to this indignity and strictly searched; that people walking in the streets of Candia were stopped and searched for arms, and that $1\frac{1}{2}$ Turkish dollars fine was exacted in each case; and, finally, that these measures were only rigorously applied to Christians.

The Under-Governor said that these measures had been ordered by the Major of gendarmerie, who is a native Turk, and that, as a rule, Mussulmans were similarly treated, but that there may have

been cases wherein some gendarmes favoured their co-religionists. These facts having been brought to the notice of Mustafa Pasha, the then Acting Mutessarif, he had given orders which put a stop to these abuses ten or twelve days ago. I have spoken on the subject to Shukri Bey, a Colonel of Engineers, just appointed Mutessarif of Candia, who assured me that henceforth this measure would only be enforced against individuals the worse for drink, and against men of suspicious character.

To listen to Christians they can no longer submit to the massacres of which they are the victims on the part of the Mussulmans, nor to the heavy taxation to which they are subject, especially as they find no protection from the gendarmerie. However, the only murders which have taken place in this province within the last five months are those of the two aforesaid Christians near Moroni, probably in retaliation for the murder and wounding of the gendarmes at Zaro.

With regard to taxation, I have already stated more than once that it was irregularly apportioned by the communes, to the care of whom was confided its assessment, and that half the population, whether Christian or Mussulman, has a true claim against the other half.

The Christians of the district of Kenurio complained of the Kaïmakam Abdullah Bey, as much as those of Amari complained of their Governor, who, however, according to the opinion of Christians in Candia, where he is well known, is a good man, and the best Mussulman Kaïmakam in Crete.

The Governor-General, who was prevented by bad weather from proceeding at once to Amari, having wired and ordered the permutation of these two functionaries, who are in their new posts since a few days, it is to be hoped that the Christians of both districts will be satisfied with their new Kaïmakams.

Djevad Pasha reached Rethymo on the 18th, and, owing to the continuance of bad weather, departed for Amari only on the 20th instant.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 36.—Consul Biliotti to the Marquess of Salisbury.—(Received March 17.)

(Extract.)

Canea, Crete, March 3, 1891.

FOR the last seven months Cretans have had no grievances against the Turkish troops; they complain of the Albanian gendarmes as a body, but, with the exception of the murder of Garago, the circumstances of which have not yet been clearly brought to

light, peasants make no special charges against, but speak rather favourably of, the gendarmes stationed in their respective villages. The only well-founded complaint is that against the native Mussulman gendarmes, including officers, and that also is not general, but concerns certain individuals.

Cretans ought to be the last people to complain of being heavily taxed, but both Christians and Mussulmans are justified in complaining of the irregular assessment of the tithe-money on olive trees. A new principle has just been started by the Christians, that they would have no objection to pay the tithe-money, heavy as it is, if they only obtained adequate protection from the Government, and they put this forward as a set-off against obtaining a purely native gendarmerie, in order to get for themselves the money now paid to the Albanians, or as a specious pretext for not paying their full share of tithe. On the other hand, a well-informed Christian, whose word I have no reason to doubt, has assured me that his co-religionists would be the first to clamour against any change from the present system, when fairly apportioned, to the former collection of the tithe in kind.

The outcry of Christians that there is no security for life, honour, and property is circulated everywhere, and is one of those sonorous phrases which tell a great deal with so excitable a people as the Cretans. But when we come to inquire into details we find that there are more murders of Mussulmans than of Christians, that most of the Mussulman victims are gendarmes (the very men by whom Christians complain of not being protected, and who, in fact, cannot protect themselves against their ambushes), while murderers and other Christians wanted by the police—of whom there may be 300—are given shelter and food, and afforded every facility for escape. The Christians complain of the gendarmes not arresting them, and especially of their not arresting Mussulman outlaws, of whom there are six in all, and they blame the Mussulman population for giving to their co-religionists the same assistance which Christians afford to outlaws of their own creed. No Christian officer would have ever treated his co-religionists half so severely as the Mussulman officer in Selinos who unveiled some Turkish women for the purpose of discovering and apprehending a Mussulman outlaw, as I reported in my despatch of the 16th ultimo. Even in the case of Amari, where the Christians appear to be in the right, I ascertained a fact, after I left that district, which makes it very doubtful whether the last murder of a Christian was committed by a Mussulman. Mehemet Voulkaki, the Turk, who was murdered shortly after the Christian by the Christian mob near Plataia, stated that the man who had shot Giorgi Zambettaki, and who had fired on him, wore a long black beard (*vide* my despatch of the 16th ultimo),

and so little did the Christians doubt the truth of this report when I observed to them that only young Christians and Mussulmans wore beards, they answered that the outlaw Mazloumis had allowed his beard to grow. It so happened ———, whom I met on my way to Mylopotamo, told me he had seen this same Mazloumis last week and the week before. On my inquiring whether he wore a beard, he replied in the affirmative. Under these circumstances, it may be supposed that the man with the long beard was a Christian, the intended victim of the Mussulman, and that the Christian was accidentally killed in retaliation for some private wrong; for it is known that many murders attributed to Mussulmans or Christians in the present trouble have been committed by individuals of the same colour, who want to revenge themselves on their respective co-religionists.

There is a class of honest men, mostly consisting of middle-aged and rich landowners, who suffer for the sins of others, and who dare not utter a word of reproach or protest. I have been informed by men of this class, including the only three British merchants in Candia, that, bad as is the present state of things, it is not so unfavourable with that of the two years that preceded the outbreak of 1889. They assured me that there was now more regularity and security in commercial transactions with the agricultural class, that peasants paid their debts, even old ones, without being harassed, a result which could hardly be obtained formerly even by legal proceedings against country debtors. I was especially astonished to find that even the Tribunals are more to be depended on than formerly, inasmuch as the injustices which now take place are confined to a political faction by the other, involving perfect immunity for the adherents of the party in power. The Christians who gave me this information were inclined to think that these favourable changes are partly, if not entirely, due to the fact that the present Mussulman Vali leaving no room for party strife, Christians are now devoted to the promotion of their material welfare the time they used to squander in political squabbles and intrigues. It is beyond a doubt that if left to themselves the peasants would prefer nothing better than to live in peace and quietness; but such is the character of the native Christians that they will blindly oppose in opposition to their real interests when excited by specious promises about insecurity for life, honour, and property suggested by an insignificant minority, who can only find means of survival in time of trouble. They can do anything with their co-religionists by threatening to denounce as a traitor any one who attempts to assert his independence of them. Thus it was before the 1889 Pact, and thus it has been ever since.

At the same time, admitting unreservedly as I do that the present state of affairs has been brought about and is being prolonged by the shortcomings of the Christians, it cannot be allowed to continue without the island being kept in a continual state of ferment, which may end in a fresh serious outbreak. It has been proved by an experience of upwards of ten years that the Cretans cannot administer their own affairs, nor be governed by the Porte under the system established by the Halepa Pact. For this system to work successfully the Imperial Government require the hearty co-operation of the Christian population, which they have never received and will never obtain. The policy of leaving the natives to fight out their political feuds among themselves has resulted in the prevalence of murder, pillage, and arson to an unheard of extent. The efforts made by the Porte since the last outbreak to cope with the Cretan difficulty have had no satisfactory result. The Firman issued on that occasion by maintaining the privilege of the election of Judges cripples the action of the Government on a most important point, which alone might have changed the state of affairs. Christians and Mussulmans were and are still ready to surrender this privilege with the greatest satisfaction, even though in public Christians would clamour against its abolition. Ever since the publication of the Firman the Christians have been insisting on its being repealed, but at the same time they dread nothing more than to revert to the previous situation with its party strife, which would be the natural consequence of this measure. Whatever may be said to the contrary, I can vouch that this is the genuine feeling of the bulk of the population of all creeds and factions.

In accordance with the provisions of the Halepa Pact the Fridays and Sundays of the last two weeks were fixed for the election of the Elders, whose office is to elect the Judges. On this occasion no Christians, and a very limited number of Mussulmans, attended the polling, notwithstanding that the Vali used his best endeavours to induce them to do so. I have been confidentially informed by Christians that the abstention of their co-religionists, which is given out as being a protest against the Firman, serves the additional purpose of preventing the election of Judges, a privilege of which, as I have said, they no longer wish to avail themselves. They admit that this privilege has been the main cause of all their sufferings since 1878, by reason of the feuds which were engendered thereby.

They go so far as to say that they will not pay the heavy taxation now imposed on them, unless the gendarmerie consists only of natives; but they agree with me that a mixed gendarmerie offers more security for the tranquillity of the island, as the purely

native gendarmerie which was created in conformity with the Halepa Pact only served the purposes of the political power.

They do not want the re-establishment of tithe in kind, a fault of the present system being its irregular apportionment, which can be easily corrected by the Communal authorities if they wish to do so.

All the foregoing details can be taken as being perfectly true, and the very Christians who gave them to me said that if they were to publicly express the opinion which they expressed in private, they would be branded as traitors, and would lose all reputation for patriotism. Strange and incredible as may appear to outsiders all these contradictions and inconsistencies, which are in opposition with the real interests of the population, they are quite familiar to any one acquainted with the Cretans.

Ever since the appointment of a Mussulman Acting Governor, the Christians have been saying that the Porte ought to take over the whole administration, and they have shown more than willingness that they do not intend to co-operate in the government of the island. Of course, they do not expect that the Porte will do any good, and they wish, therefore, to have daily motives for complaint. The best of measures would be condemned and opposed, the sole reason of its emanating from the Turkish Government. The Christians are bent on worrying the Government, in the hope that at last it will become thoroughly sick of them, and will be too glad to get rid of them in some way or other.

During the tenure of office of Shakir Pasha at Cania, and of Abdul Kerim Pasha at Candia, the Christians condemned their conduct in the strongest terms, and they abused me in the newspapers for saying that they were good and able men. The Christians now speak of them in the highest terms, and they regret at their no longer being here. In Candia the Christians went so far as to talk of signing a petition for the reinstatement of Abdul Kerim Pasha in his post, but at the last moment they were deterred by the consideration that it would be equivalent to acknowledging that the Porte was for once in the right, and have less fault to find with Djevad Pasha than with his predecessors, and when he leaves the island he will doubtless be taken to the skies; meanwhile, he has the great fault of being the representative of the Sultan, which is in fact a real drawback. In respect, that instead of finding support at Constantinople, he is crippled in his action here by the want of needful instructions, and is receiving instructions contrary to his recommendations.

During my recent trip I was told by old men who had witnessed the insurrection of 1821, that the only happy time they had

Crete was under Mustafa Pasha's rule, between 1830 and 1854. He was an able and well-disposed man, but these two qualities would not have been sufficient to secure him success if he had not been invested with full powers.

The Christians are clamouring for a strong Government, and in this they are perfectly right; but no Government can ever be strong under the circumstances just explained. The Mussulmans have so little hope left of their own Government ever realizing this desideratum that they have reverted to their idea of a foreign occupation, which means for them an English occupation, and Mussulmans of high standing have often been heard to say, jokingly, that if they knew that the murder of some English traveller or officer would bring about that result, they would commit the crime.

Besides the distrust of the population towards the Government, and their habit of always looking to Greece for orders, the Porte finds another obstacle in the humanitarian principle which induces Europe to raise her voice periodically against real or supposed outrages. This tends to confirm the delusion of the Christians that they can at all times reckon on her support, and is sufficient to encourage their highest aspirations. They cannot, and will never, understand a disinterested intervention.

The appointment of a Governor-General with the assent of the Great Powers appears to be the only measure that might establish a satisfactory and permanent state of things in this island. If it be impossible to solve the present difficulties by any such arrangement, a temporary relief can only be found in the reform of the Tribunals, the gendarmerie, and the assessment of the tithe. The question of reform under these three heads is not a new one, for it will be seen by reference to the correspondence of this Consulate that it has been the stumbling-block ever since the Halepa Pact. The population has continually suffered from the irregularity in these three branches; and the Christians, who are now so loud in blaming the Turks, themselves do nothing towards introducing improvement in this respect, when under five successive Christian Valis they had the whole government in their hands. All their time was taken up with political feuds, and the commonweal was the last thing thought of.

The Christians in the towns are loudly demanding the appointment of a Christian Governor-General, and the names of Photiades, Adassides, and Carathéodory Pashas are suggested; but all of them admit that the presence of a Christian at the head of the Government would inevitably result in the population being again split into two political camps. The most sanguine among them say that some time will elapse before this takes place, but do not pretend to

deny that such will be the ultimate result. Very little, however, was said on this subject in the villages. Even in Amari, one of the men who spoke to me having mentioned that they wanted a Christian Governor, another man hastened to explain that they referred to the Kaimakam, who is a Mussulman, and not to the Vali.

I have noticed that the despondency of which I spoke in my despatch of the 4th ultimo as prevailing among Christians with regard to their prospects, is as strong as ever. Generally, they do not approve of the murders committed by outlaws on gendarmes, &c, which are productive of trouble to the Christians, as those who live near the scenes of murders are imprisoned or disarmed; but at the same time they will do nothing to prevent assassinations, but, on the contrary, assist the authors to escape by all means in their power.

The failure in the election of Elders, of which I have already spoken, is sure to be followed by a similar failure in the polling for the return of the electors, who, in conformity with the rule laid down by the Firman, are to elect the Deputies to the General Assembly.

The dates of the two elections have been fixed for the 17th April and 1st May next respectively.

So far from wishing to co-operate with the Government, the Christians would like all their co-religionists in Government employ to resign their posts, and thus throw the whole responsibility of the administration on the Porte. Inferior men have been and will no doubt always be found to occupy posts to which salaries are attached, but the superior class of Christians now hold aloof from the Government. Under these circumstances, the Porte would do well not to flinch from the task of reorganizing the Administration, which the whole Mussulman, and the bulk of the Christian, population expect, and hope to see performed as soon as all means have been exhausted of inducing the Cretans to take advantage of their privileges. If this expectation be not realized, it is difficult to foresee what may happen, but it certainly will be nothing in favour of tranquillity.

Real reforms, in the three branches of which I have spoken, will satisfy the whole population, for they are sick of the uncertainty of their present situation. Though it is not likely they would produce a permanent change for the better, they would give a temporary rest, the duration of which would depend on the working of the reformed bodies.

In connection with the reform of the Tribunals, of which I spoke at length in my despatch of the 4th ultimo, a summary procedure should be adopted for claims under £ T. 30, which form

the bulk of the law-suits here, and which to the great detriment of the population, are now treated with the expensive formalities and endless delays which attend important cases. This change is of the utmost importance.

With regard to the gendarmerie, it has been superabundantly proved that no order can be maintained by a purely native gendarmerie, but it has also become evident that an exclusively foreign gendarmerie lacks the knowledge of men and localities which is indispensable to render them really efficient. Some cases have occurred wherein innocent men have been shot dead or wounded, while outlaws, including Iâpîs himself, have been sitting in the same café and drinking each other's health. As the Christian population complain of the gendarmerie in general, and of several native Mussulman gendarmes in particular, a full inquiry should be made into their conduct, followed by immediate dismissal when a charge is proved, and, as the Christian element in the native gendarmerie is not fully represented, their contingent should be raised without delay to at least two-thirds of the native force. Their presence with the Mussulman gendarmes would have the double advantage of securing the latter against murderous attacks and of putting a stop to any real or supposed ill-treatment on the part of the Mussulman gendarmes towards Christians.

I may here repeat what has again and again been urged, not only by the local authorities and Consuls but by the whole population, Christian and Mussulman, that the introduction of capital punishment would do more to re-establish order than any other reform or privilege that may be devised.

Another real grievance to redress is that, in violation of the Firman, native Mussulman officers of high rank are kept in the service, while Christians who held the same rank are discarded from it. Many of the just complaints of Christians are due to these officers, who have private feelings of animosity against their Christian countrymen.

When these two branches of the service are corrected, the equitable levying of the tithe-money will be a very easy task.

The Marquess of Salisbury.

ALFRED BILIOTTI.

P.S.—No real improvement is likely to take place in the gendarmerie so long as natives of either creed are admitted into it above the rank of Sergeant or, at most, Lieutenant.

A. B.

No. 37.—*Consul Biliotti to the Marquess of Salisbury.*—(Received March 17.)

(Extract.)

Canea, Crete, March 4, 1891.

DJEVAD PASHA, who, as I had the honour to report in a previous despatch, had proceeded to Amari for the purpose of investigating personally the incidents which had occurred there, also visited Candia, whence we returned together yesterday by steamer.

His Excellency showed me three documents written in Greek.

No. 1 was a denunciation by several of the leading Christians at Amari of four of their co-religionists for having fired on the Kaïmakam of that district on the 13th ultimo (*vide* my despatch of the 16th ultimo). This document was drawn up by them on Djevad Pasha's promising that he would pardon the authors of the outrage. The four men were given up to him by their co-religionists, and released according to his promise a few hours after.

No. 2 was a declaration from a well-to-do Christian that Giorgis Zambettakis, the Christian who was murdered on the 13th ultimo near Platania (*vide* same despatch) had been shot by accident by a Christian whose name he refuses to divulge, the bullet being intended for the Mussulman Ahmed Voulkaki.

No. 3 was a report respecting the death of a Christian shepherd who, just before Djevad Pasha's arrival at Amari, had accidentally fallen over a cliff.

I have not the slightest doubt as to the authenticity of these documents.

Djevad Pasha pointed out to me, with regard to the violation of the youth at Patso (*vide* despatch of the 7th ultimo), that when the corpse was discovered there was nothing in the appearance of the clothes which were on it to indicate that a shameful outrage had been committed. They were not torn nor pulled about, and the sash of the breeches was not unfastened; but the first thing that the communal surgeon did was to cut open the breeches to ascertain, as he said, whether he had been violated before death. I had heard these same details from the Kaïmakam of Amari, who, as I reported, has since changed places with that of Mires.

Djevad Pasha further informed me that, in order to avoid any possible retaliation on the part of the soldiers who had been fired upon by Christians when accompanying the Kaïmakam on the 13th ultimo, he had given orders that the battalion to which they belonged should be removed from the district and replaced by another, and that he had made the Christian and Mussulman leading men of the district sign papers, which he showed me, binding them to keep the peace in their district, and to give up outlaws.

Hassan Bey, the Colonel of gendarmerie, who accompanied

Djevad Pasha to Amari, made an inquiry into the complaints against five native gendarmes whose names had been given him, as they had been given to me, by the Bishop of that district; and although nothing was proved against them, he gave orders that they should be transferred to another district, or dismissed if they refused to go there, so as to do away with all cause of complaint on the part of the Christians of Amari.

When, on the evening of the 2nd instant, I called at Rethymo on my way back here, Mr. Vice-Consul Trifilli informed me that the presence of the Vali at Amari had produced a most salutary impression, and that the public tranquillity had not been troubled in any way since his departure, and that some hope was entertained of its not being disturbed for some time.

According to information given by the Governor of Rethymo, the Albanian gendarmes at Garazo (*vide* despatch of the 20th February) were alone to blame in the incident which resulted in the murder of one Christian and two Albanians, and which the Christians there could not satisfactorily explain to me. I understand that the Demarch has been imprisoned since my passage through that village for having made contradictory reports to the Government.

From a hurried conversation with Mr. Vice-Consul Calocherino on my return to Candia a few hours before my final departure for Canea, I gathered that Djevad Pasha's visit to that town had given full satisfaction; but that all the efforts of his Excellency to induce the inhabitants to carry out the elections there had proved as fruitless as at Rethymo. The town politicians put forward the last Firman as a pretext for their abstention, and they declare that nothing short of its repeal will induce them to form a General Assembly. Djevad Pasha told them that they were under an erroneous impression in thinking that the Firman had abolished any of their privileges, and he promised to issue a Memorandum which would dispel all doubt on the subject. But it is pretty certain that no explanation will satisfy them.

As I was leaving Candia, I was told that it had been ascertained that Liapis had taken part with the outlaw Gallioli in the murder of one gendarme and the wounding of another at Zaro, which I reported in my despatch of the 7th ultimo.

Great excitement prevailed at Candia when I was there, owing to the rumour having been circulated that the whole population was about to be disarmed, a measure which it would be impossible to carry out here without effusion of blood. This rumour arose from a Circular of the Porte inviting the inhabitants of all the provinces of the Empire to give up within six months the rifles in their possession against the payment of £T. 1, and warning them

that at the end of that time any arms found in their possession would be confiscated; but there was nothing in the Circular about a general disarmament. Djevad Pasha explained the facts, and very wisely said that this order did not apply to Crete. Its execution here would have given rise to endless complaints, and would have resulted in pecuniary loss to the Government, as no good rifles would have been given up, and the useless ones, which can be bought in the market for from $1\frac{1}{2}$ to 3 dollars, would have cost the Government £ T. 1.

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 38.— Consul Biliotti to the Marquess of Salisbury.—(Received March 17.)

MY LORD,

Canea, Crete, March 9, 1891.

THE following incidents have taken place in the western districts since my departure on the 12th ultimo:—

Three weeks ago one of the Turkish gun-boats stationed here (the inefficiency of which I pointed out as far back as last year), named the *Rodos*, which had been sent to cruise about to prevent the disembarkation of outlaws from Greece, became a total wreck on the coast of this district, four of her crew being drowned.

About the same time a band of nine outlaws from Greece landed at Petre, in the district of Rethymo proper. Another band of twelve outlaws who were reported to have sailed from Greece for Gouia, in the district of Kissamos, having never reached their destination, fears are entertained by their relatives that they may have perished during the last storms. Other bands were said to be preparing to start, and all these circumstances made Christians think that these expeditions were known to the Greek Government, which is supposed to have in view the re-establishment of the Halepa Pact system. I heard, however, from the captain and passengers on board the Greek steamer in which I embarked at Candia, that they had seen a boat with Cretan outlaws which had been captured and brought into the Piræus by an Hellenic ship of war, and that another band of Cretans which had put in at Sautorin under stress of weather had been left on shore, their boat sailing away without them, it was believed by order of the Government. They think here that next month many outlaws will return from Greece, and be formed into small bands by the inhabitants of the island who have nothing to lose, for the purpose of scouring the country, in order to murder Mussulmans, carry off cattle of Mussulmans and Christians, and commit any other acts which may compel the Government to repeal the last Firman, with the tacit consent, if

not with the open assistance, of Greece, for they do not believe in the sincerity of M. Delyanni's peaceful declarations. At the same time I learn that Hadji Mihali having written here to ascertain the fate of the band of twelve men to whom I have alluded above, the Cretans, in reply, entreated him, in the name of God, to prevent the departure of the band and that of other outlaws.

The killing of a Christian by a gendarme in the village of Fre, district of Apokorona, on the 23rd ultimo, caused much excitement there and in Canea. A native Mussulman, Captain of gendarmerie, having been sent with eight gendarmes to Fre for the purpose of collecting the tithe-money, hearing just as he arrived the report of a gun, ordered that the man, who he was told was out shooting, should be captured, dead or alive. The Christians stated that the gendarmes, amongst whom was also a Christian sergeant, were drunk, and that without any provocation they fired on two Christians who were cutting sticks; one of them, a certain Papadaki, was killed on the spot, the other escaped unhurt, although the bullet perforated his trousers.

The gendarmes, on the contrary, maintain that, near the spot where Papadaki and his companion stood, they met a band of seven armed Christians, with whom was a certain Vayouaki, an outlaw; that having been fired upon by the Christians, they returned the fire, and that Papadaki was killed in the fight. Emin Bey, an Albanian Colonel of gendarmerie, who has been here all his life, and who is acting for the Christian Mutessarif of Sphakia, lately suspended from his functions, caused the immediate arrest of the gendarmes, and ordered an inquiry into the affair, which the Christians believe to have been a case of wilful murder of an innocent man. The inhabitants of Fre and of the neighbouring villages threaten that, if the Government does not punish the culprit, who, they say, is a native gendarme, they will revenge themselves; adding that, while they wish for tranquillity, the organs of the Government act in such a manner as to compel Christians to take to the mountains.

On the 23rd ultimo a Mussulman was accidentally killed by the discharge of a rifle which a Christian was carrying, while the two men, who were friends, were shaking hands.

Four days later, two gendarmes, one an Albanian, the other a Christian, who were conveying the furniture of the gendarmerie station of Yerolako, commune of Keramia, to Perivolia, were found murdered, about half-an-hour's distance from the village of Mournies, which is in the plain of Canea. Each of the corpses bore two mortal bullet-wounds. Evidently the Christian was killed by mistake, as his body had not been mutilated when his co-religionists identified him, while the head of the Albanian was

flattened with heavy stones. The arms, and everything to the victims, had been carried off by the murderers, who to be two of Liapis' companions, who have temporarily themselves from the band. A military force was sent to the Christian inhabitants of some of the villages of that were disarmed, and about twenty Christians imprisoned. One of the murdered Albanian has been imprisoned for having the influence of drink, ill-treated one of the Christian Elders of the village of Mournies.

I have, &c.,

The Marquess of Salisbury.

ALFRED BL

No. 39.—Sir W. White to the Marquess of Salisbury.—(March 20.)

MY LORD,

Constantinople, March

HAVING been to see the Grand Vizier this morning at his private residence, I mentioned to his Highness the subject of the proposed reforms in Tribunals, tithes, and gendarmerie in the island of Crete, about which Mr. Consul Biliotti has sent in a Report, dated the 4th February, and your Lordship was good enough to give me instructions in your despatch of the 20th February, that Her Majesty's Government took naturally a deep interest in the pacification of that island, and had heard with regret of the numerous cases of murder in quite recent times.

His Highness, in reply, stated that the Sublime Porte was extremely desirous to give careful study to any measures that might be introduced for the welfare of the inhabitants, but that such measures must be carefully considered and be within the limits of the Imperial Firman of last year recognizing the institution of the island.

Having on the 11th instant made certain inquiries of Mr. Consul Biliotti on the subject of his previous statements, I received a reply from him last night, of which he says he sent your Lordship a copy, and I showed some portions of this to the Grand Vizier, upon which his Highness stated that communications were going on between the Porte and the Vali, but that no decision has been arrived at as yet upon these important subjects mentioned.

Possibly, the Mushavir, Giorgi Pasha, who is a Christian, may be sent for to report verbally at Constantinople before a decision was come to.

I have, &c.,

The Marquess of Salisbury.

W. A.

No. 41.—*Consul Biliotti to the Marquess of Salisbury.*—(Received March 24.)

MY LORD,

Canea, Crete, March 16, 1891.

So much is said in the Greek papers about the heroic deeds of Joseph, or Siphis, Liapis in Crete, that it will not perhaps be superfluous to give an account of the antecedents and present proceedings of this individual.

He belongs to a Sphakian family, which originally consisted of five brothers, Pavlos, Nicolis, Siphis (born in 1856), Manoussos, and Georgi.

In the year 1877, Manoussos, who was then 18 years old and a shepherd, was found murdered in a cave, where he was said to have concealed a number of sheep which he had stolen, and which belonged to another Sphakian called Tsourdo.

The murder had been committed with a gun which had belonged to a Sphakian named Poloyanni, but which had been stolen from its owner. Such, at all events, was the account given by the Poloyannis. But the discovery of Poloyanni's gun on the scene of the crime made the Liapis think that their brother Manoussos had been murdered by the owner of the gun. They accordingly burnt Poloyanni's house to the ground and vowed vengeance on the whole family. The vendetta here includes all branches of a family, however remotely connected.

In the year 1883, that is, six years later, Siphis Liapis, together with one of his brothers, Nicoli, murdered, in the village of Imbros, Leonidas Tsiridani, aged 23, who was closely related to the Poloyannis. Three weeks later, the gendarmerie, under the command of ex-Major Christodoulaki, the same who was a political refugee until quite recently in Greece, and who is also closely related to the Poloyannis and Tsiridani, killed Nicoli Liapis.

About the same time, Nicolas Kouyolouris, an uncle of Siphis Liapis, in order to escape assassination, removed from Sphakia to Messara, in the province of Candia, where, eighteen months after, he was murdered by Mussulmans at the instigation, it was rumoured, of the same Nicoli Christodoulaki, who by that time had been appointed Major of gendarmerie at Candia.

It was also rumoured that no steps had been taken by the gendarmerie to discover and apprehend the Mussulman murderers.

In 1885 and 1886, Manoli Barnabas, of Mouri, Nikiforos Bardoulakis, of Livaniana, and Manoli Psaro, of Imbros, who belonged to the Poloyanni-Tsiridani party, were murdered by Liapis and his party, and Siphis, who had murdered with his own hand Manoli Psaro, took refuge in Greece, where he worked as a carpenter.

In April 1886, Yoannis Poloyauni and Steliano Tsiridani murdered Pavlo Liapis in broad daylight in the town of Sphakia.

In 1887, these two murderers and Nicoli Tsiridani, who accompanied them, were waylaid on a mountain path and fired upon by Georgi Liapis and one of his cousins, named Nicoli Velidaki or Liapis. Steliano Tsiridani was wounded, but his relatives, Yoannis and Nicolis, closed with the would-be assassins and killed them both.

In September 1889, Siphis Liapis, whose four brothers had now been killed, returned to Crete to avenge their death. Being unable to find any one of the Poloyanni-Tsiridanis family, he murdered in cold blood and in broad daylight, in November of the same year, a brother-in-law of the Tsiridanis named Kirouhi Kirouhoyannaki, aged 65, his wife, Gabbia, aged 50, and their daughter, Catherine, aged 12, in the village of Vouva, district of Sphakia. The girl was at the fountain when her parents were murdered, and she was killed on entering the house with a pitcher of water.

After this triple murder, Siphis Liapis sat on the top of the house of his victims, and for the rest of the day prevented the priest and the inhabitants of the village, by threatening to fire at them, from removing the corpses.

In January 1890, Siphis Liapis shot dead Nicolo Tsiridani and cut his throat. Shortly after, Maroussou Kirouhoyannaki, son of the man and his wife murdered at Vouva, murdered in his turn Manoussa Velidaki or Liapis, and in the same year he and Yoannis Poloyanni murdered Yanni Pastrezi, *alias* Kouroudaki, who belonged to Liapis' party.

In the interval between the murder of the Kirouhoyannaki family and of Nicoli Tsiridani, that is, in December 1889, Liapis and a companion, lying in ambush, killed four and wounded three Turkish soldiers who were carrying provisions from the town of Sphakia to a fort called Frango-Castello, about two hours' distance, and carried off their arms. When he returned to Athens shortly after he received an ovation for having killed and wounded these soldiers, besides, I am told, a monthly pension of 120 drachmas for himself and 60 for his mother, who was in Greece.

At the end of December last Liapis returned to Crete with four companions, and having gone to the village of Rodakino, district of Ayos Vassilios, he there killed in ambush a gendarme, and afterwards wounded a soldier in the village of Nathé, district of Apokorona, by firing on a passing patrol. At the same time he sent an address to the Consuls stating that he had returned to Crete to avenge the violation and murder of women and children committed by the Mussulmans on the island (*vide* my despatch of the 26th January). Two or three weeks later, with the assistance of Georgi

Pastrezi, who had accompanied him from Greece, he murdered Manoussou Kirouhoyannaki and cut his throat after his death.

Up to now the vendetta between the Liapis and the Poloyannis has caused the death of eight individuals belonging to the former, and nine belonging to the latter family, seven of whom have been killed by Liapis' own hand. Although all these facts are known to the public in this island, it is amazing to see the enthusiasm with which Liapis' name is mentioned by the Christians who do not belong to the Poloyanni and Tsiridani families. This is the less comprehensible, as Liapis has done nothing either before or since his return here to win the gratitude of his countrymen at large. His only exploit since the murder of Manoussou Kirouhoyannaki has been to assist Gallioli in the murder of one and the wounding of another gendarme at Zaro. The two gendarmes, one of whom was a Christian, were murdered at Keramia by Vayoni and another who came from Greece with Liapis, but who have detached themselves from him.

Liapis' band, which consisted of five men on his arrival from Greece in December last, and which at one time had increased to nine men, is now reduced to one companion, Georgi Pastrezi. No fighting of any kind having ever taken place at Amari or anywhere else between Christians and Mussulmans, the brilliant services supposed to have been rendered by Liapis to his countrymen in routing the Turks have never been effected save in the imagination of newspaper writers. On the contrary, in the occasional instances when shots have been exchanged between gendarmes and outlaws, the Christians have always complained of being wantonly fired upon and murdered, which certainly does not imply fighting between the two parties.

The presence of outlaws in this island is a real scourge for its Christian population, who, on the one hand, cannot refuse them food and shelter with impunity, and, on the other hand, are punished by the Government for complying with their demands. The unpleasant situation of the population in this respect, and the inability of the Government to remedy it, are especially borne out by Liapis' case, in whose capture, or rather death, half the Christian population of Sphakia is interested.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 42.—Consul Biliotti to the Marquess of Salisbury.—(Received March 24.)

(Telegraphic.)

Canva, Crete, March 24, 1891.

It is fully expected by the Christian rural population that, on the approaching anniversary of his birth, His Imperial Majesty the Sultan will grant to the sixteen political prisoners their long-expected pardon. At a time when the Christians show all disposition to keep the peace, the release of these prisoners, which they consider to be an act of justice, might have the most beneficial results.

No. 43.—The Marquess of Salisbury to Sir W. White.

SIR,

Foreign Office, March 24, 1891.

I HAVE received your Excellency's despatch of the 13th instant, informing me that you had brought to the notice of the Grand Vizier the reforms in the administration of Crete which Mr. Consul Biliotti considered of most immediate importance.

I approve your Excellency's proceedings in the matter.

I am, &c.,

Sir W. White.

SALISBURY.

No. 44.—Consul Biliotti to the Marquess of Salisbury.—(Received March 31.)

MY LORD,

Canva, Crete, March 19, 1891.

ON the ^{1st}/_{13th} instant Djevad Pasha addressed to the Governors of the districts and Demarchs of the island a Circular concerning the new system of taxation, to the following effect:—

Owing to the want of stability in the Budgets, arising out of the system of farming out the tithe, and of the fact that abundant years are followed by years of failure in the crops, the financial condition of the island had grown from bad to worse. After having failed in the experiment of ameliorating the situation by curtailing the salaries of the public functionaries to the extent of their being unable to live on their reduced salaries, the General Assembly had been under the necessity of borrowing £ T. 60,000, to alleviate the burden, of which the Imperial Government, besides making a gift of £ T. 2,500 to the island, made an advance of £ T. 20,000, which are to be returned. But in spite of all this the financial situation remained the same. In order to put a term to this state of things the last Firman established, on the basis of the price of the farming out of the tithe in each commune during three years of abundance

and as many of failure in the crops, the new system of a fixed sum of money per tree instead of the tithe in kind, and after two years of experiment it has been acknowledged by the population to be satisfactory in principle, while at the same time it has become evident to the population, as well as to the Government, that it lacks regularity in its assessment. The truth is that the Cretans are less taxed than the inhabitants of the other provinces of the Empire; for instance, instead of 5 piastres which are levied everywhere else on sheep and goats, they only pay 14 paras, 5 of which go to the communal chest. The highest sum of money now claimed per tree in the most heavily taxed commune is $2\frac{1}{2}$ piastres, while the other agricultural products are taxed on a small proportion. The Cretans have the less motive to complain that, in accordance with the last Firman, the whole tithe money goes to the local Treasury without a single farthing being sent to Constantinople, and that the deficiency in the present system does not accrue from the spirit of the Firman, but from the mode of the application of the system, which it now behoves the Government to correct, so as to give full satisfaction to the population.

As, according to the information obtained, the complaint arises out of the fact that a uniform tax is paid for all olive trees in the same commune, whether they yield ten or only one measure of oil each, the Government, in compliance to the desire expressed by all the inhabitants, intend to divide all the olive trees (except those planted within the last sixteen years) into three classes, and to tax them in proportion.

In order to fully satisfy the public on an assessment of so delicate a nature, it is necessary to establish the manner in which the olive trees are to be divided in three classes; to fix the respective tithe money to be paid for each class; to ascertain the correctness of the existing catalogues of the number of olive trees, and should they be defective to find out the best means for correcting the deficiency; and finally, to fix the mode of collecting the tithe money, that is, by special collectors, or by, and what, other means.

The Governors are therefore invited to call together the Provincial Councillors, the Demarch, and as many of the well-to-do and landowners as may be deemed necessary for the purpose of coming on these points to a decision in common (each member being at the same time at liberty to note down his personal opinion in case he differs from the others), before the end of the present month (12th April). Moreover, the fact is to be taken into consideration that although the tithe money, substituted for the tithe in kind, had been assessed on the prices at which it was farmed out, these prices were not always in proportion to the real value of

the crops, owing to the facility of collecting the tithe in districts near the towns, and the difficulty of obtaining it in mountainous and distant districts of the same productive power, while in other cases it was usual for such farmers as purchased the tithe with the intention of never paying, as it happened but too often, to make highly exaggerated offers.

All these details must be studied with great care so as to decide whether the assessment is to be maintained on the present basis, or fixed in some other proportion on the number of trees in each district.

The contents of this publication are approved by the public at large, and although they do not expect that the instructions therein will be fully carried out by the functionaries and the individuals intrusted with the task, the populations hope that sufficient improvements will take place to satisfy most of the grounded complaints.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 45.—*Consul Biliotti to the Marquess of Salisbury.*—(Received March 31.)

MY LORD,

Canea, Crete, March 24, 1891.

I HAVE the honour to report the following outrages which came to my knowledge or occurred since my last despatch on the subject of the 9th instant:—

According to the authorities at Kissamos, the death which I reported in that despatch of a Mussulman while he was shaking hands with a Christian was not accidental, but was a wilful murder. Its author having fled to the mountains, on the recommendation of the Governor of Kissamos, and in conformity, I am told, with a law which had fallen into desuetude, Djevad Pasha had ordered to sell the property of the Christian for the purpose of paying an indemnity to the family of the Mussulman.

In the village of Fournes, Cydonia, some gendarmes who had deprived a Christian of his gun, having returned it to him by throwing it at the café door where he and other Christians were sitting, the gun exploded, blinding one eye of one of the bystanders.

Unknown parties fired during the night against the barracks at Vamos, Apokorona, wounding the sentry in the hand.

It was ascertained that a Christian who had been found burnt to death in the village of Nerohour, Cydonia, and who was supposed to have been the victim of a crime, had come to his death by accident.

A Mussulman of Apokorona was fired at through the door of his house at night, and slightly wounded in the hand.

A gendarme in the district of Sherapetra was slightly wounded by a Christian having intentionally discharged at him a gun loaded with small shot.

In the district of Apokorona, a bailiff carrying summonses from Vamos to another village has been deprived of his arms, and of £T. 5 which he had in his pocket, by the outlaw Vayoni, and two companions, who gave him a letter addressed to the Governor of Vamos (the seat of the Mutessarif of the Province of Sphakia), telling him to return the money to the bailiff, as he (Vayoni, who had been formerly in the gendarmerie) had taken it in payment for salaries still due to him.

Last week a Christian shepherd, called Basuco, was carrying bread to his companions near the village of Ilordaki, Amari, when an Albanian gendarme, who was gathering fuel with a few other gendarmes, shot at him, and very severely wounded the Christian, who, however, is still alive. The gendarmes have been immediately apprehended, and according to the statement made to Mr. Vice-Consul Trifilli by the Major of gendarmerie, who made an inquiry on the scene of the crime, and of the Mutessarif of Rethymo, it was a wanton murderous attack on the part of the gendarme. Djevad Pasha assured me that he would inflict exemplary punishment on the culprit when his guilt is brought home to him, and that, meanwhile, the gendarmes now at Amari were being replaced by another corps of gendarmerie.

His Excellency informed me at the same time that he had decided to treat the foreign gendarmes with the greatest severity, and that eight of them who had ill-treated a Christian Elder in the village of Murines, Cydonia, had received a few days ago twenty lashes each, in the courtyard of the Government Palace, in the presence of the other Mussulman and Christian gendarmes.

A certain Georgis Leghounis, who for a short time had formed part of Liapis' band, has been lately arrested by the Christian gendarmes of Sphakia, most likely because they had some personal grudge against him. Djevad Pasha intends to give as encouragement a good reward for this capture.

Mr. Vice-Consul Calocherino reported to me on the 18th instant that a Christian had been found murdered, and his head cut off and mutilated near Kissos, a Mussulman village of Pyrgiotissa. The Mutessarif, Sukri Bey, made an inquiry on the scene of the crime, and discovered that it was committed by a certain Bekirari, a Mussulman, who had accomplices whose names are still unknown, but the whole of whom he hopes to arrest within a few days. I heard from Djevad Pasha that he had issued identic orders to those

given in the case at Kissamos for the sale of the property of the murderer, and the payment of an indemnity to the family of the victim.

A few days ago eight outlaws, of a band of twelve whom I reported in my despatch of the 9th instant that their relatives feared to have been drowned, arrived from the port of Gittrion, in Greece, where they are said to have committed depredations, and landed at a spot called Stavros, between Kissamos and Selinos. It appears that measures have been taken by the Christians of Cydonia to prevent these outlaws from committing outrages until they find the means of sending them back to Greece. I have just been informed that Vayoni and two other outlaws have embarked a few days since at Akrafin for Greece.

Mr. Vice-Consul Trifilli has just reported to me that on the 16th instant a few Christian gentlemen, among whom was the son of the Greek Vice-Consul, while taking a walk outside the fortifications of the town of Rethymo, saw an Albanian gendarme, who appeared to be drunk, and who followed the same road with a few companions, load his rifle and level it at them, when another gendarme rushed and disarmed him, after which all the gendarmes went by another road.

The Christian parties having complained to the Mutessarif, his Excellency replied that he had already made an inquiry, by which it appeared that the gendarme in question wanted to fire in the air in rejoicing for his having just been liberated from prison. But as this explanation did not satisfy the Christians, the Governor promised that he would send for the gendarme, who was on his way to Mylopotamo, and that if, on a further inquiry which he intended to make, his guilty intention was proved, he would punish him most severely.

Mr. Vice-Consul Trifilli further informed me that on the 21st instant at 10 P.M., in the Mussulman village of Marula, which is also inhabited by a few Christians, a Christian young girl, 12 years of age, was carried off by three young Mussulmans named Youssouf Carazodaki, Riza Murabutaki, and Haider Hatzibsidaki. As the intentions of these individuals with regard to the girl were known, precautions had been taken to secure her safety. Being unable to open the door of the house in which she was kept, they entered it by making a hole in the roof, and carried off the young girl, after ill-treating the aunt, who tried to oppose them. No trace of the fugitives having been discovered, the authorities have arrested Haider Hatzibsidaki's father, a well-to-do Mussulman in the village of Marula, who was supposed not to have been a stranger in the abduction. The Greek Archbishop having wired to Djavad Pasha on the subject, his Excellency had given severe orders to the

Mutessarif, and while I am writing I am informed, but without any details, that the girl has been found in the village church, and that the Juge d'Instruction had left with troops to search for the culprits.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 46.—Consul Biliotti to the Marquess of Salisbury.—(Received April 5.)

(Telegraphic.)

Canea, Crete, April 5, 1891.

THE refugees mentioned in my despatch of the 31st ultimo* captured on the 1st instant three Mussulman gendarmes, and murdered them an hour after. Next day the band, having increased to about eighty through new arrivals and native recruits, was met by an equal force of soldiers and gendarmes, who slew two outlaws, badly wounded a third, and seized three rifles and two revolvers. I have seen one of the former: it bears the mark of the Greek army and the number "6192." 380 other Cretans are said to be coming from Greece: of these, 200 have already embarked, and some are supposed to have already landed in Crete.

No. 47.—Consul Biliotti to the Marquess of Salisbury.—(Received April 6.)

MY LORD,

Canea, Crete, March 30, 1891.

I HAVE just seen a letter, dated Athens, the $\frac{1}{4}$ th instant, from one of the political refugees who has been pardoned, but who, having taken part in the murder of the Turkish soldiers at Aya in 1889, does not dare to return until the relative to whom he writes has ascertained whether he can safely return to Crete.

Although the question had been already answered in the affirmative by Djavad Pasha, as I reported in my despatch of the 23rd September last, I put it again to his Excellency, who repeated the same assurance. The refugee in question says in the letter that in consequence of the Greek Government having curtailed the pensions hitherto paid, Greece has become too "narrow" for the refugees, most of whom will return to Crete, some to towns, others to the mountains. He further states that of the latter (who are, of course, outlaws) twenty have already embarked and thirty-five are about to do so.

No doubt great political significance will be given in the Greek papers to this arrival of outlaws in Crete, but it may be accounted

* No. 50, page 736.

for simply by the fact that these murderers and thieves have greater facilities for living by brigandage here than in Greece; hence their arrival will certainly lead to an increase of crime and disturbance. This fact is so well understood by the natives that, according to information I have just received, a Memorandum, addressed to the Cretans in Greece, is being circulated, and has already been signed by the Demarchs of the western districts of Kissamos (where it was begun), Selinos, and Cydonia, to the effect that Cretans beg their countrymen in Greece to prevent the return of outlaws to Crete, as the Christian population can do what is required for their own protection without the assistance of the few outlaws who may come over, and whose presence is only productive of trouble to the rural population. It is not yet decided in what way this document is to be remitted to the Cretans in Athens, but there is a talk of sending it through the Greek Consul-General here.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 48.—Consul Biliotti to the Marquess of Salisbury.—(Received April 6.)

MY LORD,

Canea, Crete, March 31, 1891.

IN an official publication dated the ^{20th February} ^{10th March} Djevad Pasha stated that the main reason for the abstention of the Cretans from voting at the recent voting was that the population was quite tired of the elections, which, owing to the animosity between the political parties, had been the cause of the late disturbances. In answer to this statement an identic Petition addressed to the Governor-General has been and is being signed all over the island by the Christian Demarchs, Elders, Councillors, and leading men in each district to the following effect:—

Having taken into consideration the invitation to hold elections for the reorganization of the General Assembly, the signatories think it necessary to explain the opinion of the population on this subject. The Imperial Firman of the 1st Rebiul Ahir, 1307, has failed to carry out the benevolent intention of the Sultan, which was to improve the condition of our island; nor could it have done so, for only one of the Contracting Parties had repealed a Convention passed between the Representatives of the Sultan and the Cretan population. The new regulations established by that one party in the place of the important privileges repealed by this Firman do not correct the defects which were detected in the former organization. This end could only have been attained with

the co-operation of the lawful representatives of the island, who alone are in a position to know its real wants. Under these circumstances the Cretan population declare through the signatories that, in consequence of the last Firman, they cannot co-operate in the reorganization of the General Assembly, nor directly nor indirectly in that of any elective authority, and they beg that this declaration be submitted to His Highness the Sultan.

Mr. Calocherino and Mr. Trifilli having informed me that copies of this Petition were about to be handed to them officially, I instructed them to refuse to accept them in this form, but to get unofficial copies of the document, as I have done myself here, for the information of Her Majesty's Government.

The Petition raises three questions :—

1. If the principle should prevail that no modifications in the Organic Law and the Halepa Pact can be made by the Porte alone, the Firman of the 1st Rebiul Ahir should be repealed altogether.

2. The Christians admit that there are defects in the organization which existed under the Organic Law and the Halepa Pact, but they contend that these defects have not been remedied by the last Firman. Both these assertions are true, and while the first was admitted by the issue of the Firman, the second is likewise admitted by the Government by the fact of its recognizing the necessity of reforms in the Courts of Justice, the gendarmerie, and the collection of the tithe.

3. The Christians maintain that no lawful reorganization can take place without the co-operation of the population, which implies a question of principle similar to that contained in the first paragraph.

The real question for the Government is not whether the Christians are right or wrong in the principles they put forward, but rather whether the Sublime Porte considers itself in a position to carry out single-handed such reforms as are indispensable, and which, unless they are perfect, will give a pretext for the clamours which are sure to be raised in any case, or whether they consider it more opportune to take into their counsel representatives of the population, as in that case there would be no ground for whatever complaints the Christians may make.

There is one point on which the Government and the Cretans will never agree, viz., the finances.

As further details would only involve a repetition of former correspondence, I beg to refer to my despatches on these subjects of the 24th June, 1st July, 12th August, 26th August, and 9th October, 1890, respectively, and of the 3rd March, 1891.

In consequence of the declaration now made by the Christian

population through the signatories of the aforesaid Petition, the execution of Shakir and Djevad Pashas' schemes concerning the reforms of the Tribunals is no longer practicable, as no Cretan is likely to take even an indirect part in any election, and this single fact will compel the Government to annul themselves one of the clauses of the last Firman which they particularly wished to maintain in its integrity. This possible contingency I had ventured to point out in more than one of my aforementioned despatches.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 49.—Consul Biliotti to the Marquess of Salisbury.—(Received April 6.)

MY LORD,

Canea, Crete, March 31, 1891.

WITH reference to my telegram of the 24th instant, I have the honour to report that great disappointment has been caused by the long-expected pardon to the political prisoners not having been granted, as was fully expected would be done on the Sultan's birthday.

Although as usual one-third of the penalty of other prisoners was remitted, political prisoners were expressly excepted, together with murderers and individuals guilty of rape.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 50.—Consul Biliotti to the Marquess of Salisbury.—(Received April 6.)

MY LORD,

Canea, Crete, March 31, 1891.

WITH reference to my despatch of the 30th instant, I have the honour to report that I have just been informed that thirty of the outlaws therein mentioned have landed in the district of Kissamos, and I have been further informed by the Vali that the pardoned refugee mentioned in the same despatch is also implicated in the murder of other soldiers near the village of Sembrova on the 19th September
1st October, 1889, and that he may be prosecuted for this additional crime on his arrival here.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 51.—*Sir E. Monson to the Marquess of Salisbury.*—(Received April 13.)

MY LORD,

Athens, April 6, 1891.

WITH reference to the statement in Mr. Biliotti's telegram of yesterday that one of the rifles captured from the Cretan outlaws is marked "Greek Royal Army, No. 6192," I have the honour to report that I have always understood that there is no difficulty in buying Government rifles at any gunsmith's in Athens.

I spoke to M. Tricoupi last year, when he was Minister of War, on this subject, and he said it could not be prevented, and that Government cartridges in small quantities were always procurable at the same shops.

The Cretan refugees are leaving Athens rapidly, as the subventions have been almost entirely suppressed. Professedly, most of them are going to Crete with peaceable intentions, but a certain proportion will doubtless swell the bands of outlaws, whose formation during the spring and summer months has been always predicted here.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

No. 52.—*Consul Biliotti to the Marquess of Salisbury.*—(Received April 14.)

MY LORD,

Canea, Crete, April 7, 1891.

WITH reference to my telegram of the 5th instant, I have the honour to report that, in addition to the thirty or thirty-five outlaws whose landing in the district of Kissamos I reported in my despatch of the 31st ultimo, the other band of twenty mentioned in my despatch of the 30th of the same month appears to have also disembarked in the same district, where it seems that they were joined on the 3rd instant by eight outlaws, whose landing between the districts of Selinos and Kissamos I reported in my despatch of the 24th ultimo.

Last Thursday the band of thirty or thirty-five met in the village of Topolia, Kissamos, a Christian tax-collector, accompanied by two Christian and three Mussulman gendarmes, two of whom were natives, whom they made prisoners, and shortly after conducted to a place half-an-hour's distance from the village, where they shot dead and stabbed the three Mussulman gendarmes.

According to the deposition of one of the Christian gendarmes who came to Canea, the Mussulman gendarmes had closed the door of the café where they were sitting, and were prepared to sell their lives dearly, when they were induced to surrender on one of the outlaws, who knew the native Mussulman gendarmes, repeatedly

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swearing that they would not be hurt. It may be that the Mussulman gendarmes were induced to believe in the oath of the outlaws in consequence of a notice which had been circulated a few days after the arrival of the first band on the island, by order, as stated therein, of the Central Insurrectionary Committee at Athens, to the following effect:—

1. The life, property, and honour of Christians and Mussulmans is to be in no way molested.
2. If attacked by the soldiers or gendarmes, or any one else, the outlaws will be justified in utterly destroying any one of these parties.
3. Death is the only penalty awaiting any Mussulman who may molest any Christian, however slightly, and any Christian traitor or his relatives.
4. And that these measures will be carried out in all the districts.

Be this as it may, the whole Christian population at Canea, and no doubt in other places of the island, were indignant at this treatment of the Mussulman prisoners.

The Vali sent troops and gendarmes from the capital in pursuit of the outlaws, but before they arrived a detachment of eighty, dispatched by the Kaïmakam of Selinos, came upon the outlaws on Friday last at a place called Poroselia, near the village of Aya Trini, Selinos. The three bands who had united and been joined by a few native Christians now mustered about the same strength as the troops. The two sides exchanged shots for about two hours and a-half, when the outlaws took to the heights on the slope of Omalos, and the military force being too small to pursue them up almost inaccessible paths, or even to remain for the night in the middle of an exclusively Christian population, withdrew to headquarters.

All that I know for certain of the result of the fight is that two outlaws, named Georgis Papacasselakis and Djentzakis were killed, and Vardis Benakis was seriously wounded; he was carried off by his companions, and is believed to have since died of his wounds. The authorities maintain that three or four other outlaws were also wounded and carried off by their companions, and that no soldier or gendarme was hurt, while a Christian peasant who came from the neighbouring village of Prasse says that two soldiers and one gendarme were killed, and two soldiers and one Christian guide were wounded.

The outlaws are being hotly pursued, and the authorities appear convinced that unless they disperse they will come up again with them.

Nineteen Christians, according to the Christians, and seven

according to the authorities, have been sent to prison to Canea, one of them for having fired on the troops in the village of Aya Trini, the other six for pretending that they had never seen nor heard of the outlaws.

It was reported by the Christian Governor of Kissamos that the outlaws on landing carried an Hellenic flag, which, however, was not seen in any other part of the country. One of the rifles taken from the dead outlaws was sent to Djevad Pasha, who showed it to me. I cannot say whether it is a Gras rifle, but it is marked with the Greek Royal arms and the words "Greek Royal Army, No. 6192."

From information obtained from passengers arrived from Athens, it would appear that neither the Greek Government nor the Opposition have anything to do with the expedition of outlaws; but the Government mark on the arms in the hands of the armed bands may lead many of the inhabitants of the island to think that M. Delyanni is secretly favouring such ventures, although I understand that similar arms may be easily obtained at Athens from private individuals.

The expeditions are said to be equipped by the "Amina" Committee and by both Government and Opposition Deputies, who owe their election to Cretans, and cannot refuse them small supplies of money and arms when they complain that they have been deprived of the means of living in Greece and are consequently forced to return to Crete.

I hear that the number of refugees who intend to return to Crete amounts to 380, of whom 200 are said to have already left, and some of whom are said to have already landed on the island, but hitherto no certain information has reached Canea as to their arrival. It is rumoured that they are still at Cerigo, Cerigotto, and Milos, and that there is also a vessel with ammunition ready to cross here. In consequence of these movements many Cretans who were ready to come back have postponed their departure from Greece.

The disposition of the population at large with regard to these ventures is to be detected in the fact that they sent, not through the Greek Consulate, but direct to their countrymen at Athens by the Greek mail-steamer, on Friday last, the 3rd instant, the Memorandum mentioned in my despatch of the 30th ultimo, and that the Demarchs intended to hold a meeting on Sunday last (which did not take place in consequence of the events that have occurred since Thursday last) for the purpose of sending Delegates to induce the outlaws to return to Greece.

There is certainly a number of natives, perhaps as many as a few hundred, who may join the outlaws; but there is no fear of a

general movement so long as Greece takes no open part in these expeditions, and takes measures to make it clear to the Cretans that she does not secretly favour them.

The only other circumstance which may induce the Christians to join the movement, and on which I am assured the promoters of the scheme at Athens based great hopes of success, is, if the Turkish Government take indiscriminate and wholesale measures against the inhabitants of the Christian villages which may be visited by the bands of outlaws, instead of limiting its action to those who are really guilty of complicity with them. It is probable that, rather than run the risk of indefinite imprisonment, they may join the armed bands. It is a great pity that the Imperial Government did not consider it opportune to pardon the political prisoners on the recent birthday of the Sultan, as that would have been a great point in its favour in the present state of things. An uninterrupted, energetic pursuit of the outlaws with adequate forces is essential to prevent mischief in the island; for if they are allowed a moment's respite they may, by murdering native Mussulmans in the villages, frighten them into a general migration to the towns, when there will be a recurrence of the regrettable events of 1889, but no regular insurrection. If the authorities manage to kill a few more of the outlaws, and especially if some well-known murderers among them were captured and hanged (at the same time as an equal number of Mussulman murderers), the example would be such as to deliver this island for a long time from incursions like the present, for these individuals come here fully convinced by past experience that they may do any amount of brigandage without exposing themselves to any danger; but it would be quite different if they found that their lives were at stake.

It must be well understood that whatever measures may be devised for the benefit of the island, and however well these measures may work, outlaws are a plague which will not be got rid of so long as murderers and thieves find a secure refuge in Greece, and may at their will come back to this island, or, still worse, be sent as political champions, receiving pensions on their return to the continent. As Greece will not, or cannot, alter her policy in this respect, the evil can only be checked by the severe measures that may be adopted by the Porte.

A week ago a Mussulman collector of the taxes was stoned to death on the high road near Vamos, Apokorona. Robbery appears to have been the motive of the murder, which was supposed at first to have been committed by outlaws.

Five or six of the Poloyanni-Tsiridani family having started in search of Liapis (*vide* my despatch of the 16th ultimo), met him by mere chance at about the same time, at night, in the ruins of an

old Venetian fort near Sphakia. Shots were exchanged on both sides, resulting in a mere scratch to one of the Poloyanni party, and in the perforation of the sleeve of another, which were represented as a mortal wound in the one case, and as a slight wound in the other.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 53.—Consul Biliotti to the Marquess of Salisbury.—(Received April 14.)

MY LORD,

Canea, Orete, April 7, 1891.

WITH reference to the latter part of my despatch of the 24th ultimo, concerning the abduction of a Christian young girl by a Mussulman in the village of Maroulà, Rethymo, I have the honour to report that she had not been found, as it was stated at first, but had only been seen in the church with her Mussulman ravisher, from which they escaped and have not been heard of since. The Mussulmans pretend that she followed her lover willingly, although there is no doubt that he forcibly entered the house she was living in and carried her off; while the Christians say that if the young girl has really followed willingly her supposed lover, nothing compels him to abscond with her. Some Mussulmans who had been imprisoned as accomplices in the abduction have been released.

The Albanian gendarme who was mentioned in the same despatch as having levelled his rifle at Christians was brought back from Mylopotamo and sent to be tried by court-martial.

Djevad Pasha had made the Christian and the Mussulman leading men in the district of Amari sign papers binding them to give up outlaws. These documents having been published in the official Gazette, the Christians of that district addressed a protest to the Vali, in which they declare that they consider as null the document signed by them in consequence of the Mussulmans not having bound themselves to give up outlaws in general, as Christians have done, but only to endeavour to prevent the outlaw Mazloumi, when they happen to see him, from killing Christians. The complaint of the Christians is justified by the difference in the wording of the two documents in question, but if Djevad Pasha had intentionally deceived Christians, it is not likely that he would have published them as he did, side by side.

Immediately after the murder of the three gendarmes mentioned in my preceding despatch of this day, several copies of a paper written in Turkish were pasted up in the streets of Canea, in which it was stated that Djevad Pasha was unable to govern Crete, and that all he could do was to kiss the hand of the Greek Bishop. This refers to his Excellency having done so after he had

kissed the hand of the Cadi on the publication of the Manshom raising him to the rank of Mushir, when both the Cadi and the Bishop had offered up prayers for the Sultan.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 54.—Consul Biliotti to the Marquess of Salisbury.—(Received April 21.)

MY LORD,

Canea, Crete, April 11, 1891.

I HAVE the honour to transmit herewith, for your Lordship's information, translations of two papers found on a certain Sophocles Fiotaki, one of the Christians arrested after the encounter between the troops and the outlaws reported in my despatch of the 7th instant.

One of these papers is a letter written by a refugee from the village of Aya Irene, Selinos, on the ^{30th January}_{11th February}, 1891, to Fiotaki, who is a retired notary living in that village; and the second, which bears no date, but which was evidently written in March, as mention is made therein of the snow which fell in February last, is the draft of the answer sent in common by the inhabitants to the letters written by each refugee from Selinos to his relatives in Crete.

I attach the more importance to this communication that it has, so to say, no official character, as it was never expected that this paper should fall into the hands of the Government, but is the simple expression of the real feeling of the industrious peasant of Selinos to his kinsman abroad, and as it tallies with the confidential information which I have gathered from other parts of the island.

The Greek Consul-General, to whom I have shown these two documents, repudiates the contents of the letter from Athens, and maintains that his Government entirely disapproves any insurrectionary movement in this island. He states that the refugees have made use of its name, have displayed the Greek flag at Kissamos, as was reported by the Kaïmakam, have again displayed it when, after the fight on Friday last, they withdrew on the slopes of Onalos, as was reported by a peasant of Aya Irene, and have managed to get arms bearing the mark of the Greek Government, for the special purpose of making the Cretans believe that they are backed by Greece, which is the only means of stirring up the natives.

Be this as it may, as in spite of all these devices the Christians have not moved, they either do not believe in the co-operation of the Greek Government, or if they do, their abstention proves that they do not want to move, which is a still stronger proof of their pacific intentions.

I think it would have been difficult for any one to have put in stronger terms than the inhabitants of Selinos do in the aforesaid answer their disapproval of the expedition of any armed bands in Crete. Their distress of this possible contingency is such that they almost make threats against their best friends and relatives now in Greece.

Under these circumstances it may be presumed that, now all these details will be known to the Greek Government, they will altogether prevent a few criminals from embarking and disturbing the tranquillity of a population of upwards of 300,000 Cretans, who want to live in peace.

I respectfully beg to call your Lordship's attention to the fact mentioned in that answer, that while the Cretans themselves consider the devices hitherto used by them for frightening the Sultan and Europe are worn out, there are still many people out of Crete who attach, and a few in Crete who pretend to attach, a great importance to such manifestations of outlaws.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

(Inclosure 1.)—*Letter from a Refugee to Sophocles Fiotaki.*

(Translation.)

MY DEAR SOPHOCLES,

Athens, January 20,
February 11, 1891.

I WROTE to you by last post explaining our situation, so I will now repeat nothing on that head. I will now tell you shortly what is being done here by the majority of the refugees.

Different detachments from all the provinces of Crete, excited by the exploits of Liapis against the Turks, are being zealously prepared, apparently without the knowledge of Greek Government—I say apparently, because some of the Government Deputies, like Zygornalas and Argiropoulos, say that the Government cannot do anything openly through fear of Europe, and for this reason it effected the seizure of the Cretan ammunition, and ordered the observation of the Greek coast in order to prevent the landing of armed men in Crete, but as soon as things have advanced to the warlike stage the Government will also act. They are being prepared, I say, in secret by both the Cretan parties, in order to make a great armed descent on Crete and begin hostilities.

Many are preparing from our provinces also, applying to various persons here for supplies, and especially to the "Amina" Committee, the President of which is now the Cretan Antoniades, formerly head of a gymnasium, Theofilattos having resigned, and they are now almost equipped. I do not know how this will appear to you—if you approve or disapprove this step. It is thought that

when the Greek Government takes diplomatic action, though there is little hope of a favourable solution of the Cretan question, the solution will be hastened by this step, if the movement extends to all provinces of Crete, and satisfaction will be given to the just demands of the Cretans, who have been oppressed for the last two years.

I beg you to enlighten me at once about the opinion of the Cretans on this subject.

I greet you.

(Inclosure 2.)—*Answer of Inhabitants of Selinos to Letters from Athens concerning Armed Incursions.*

(Translation.)

OUR DEAR FRIENDS,

FROM letters which you have written each to his relatives, we have been informed that some of the refugees from all the provinces of Crete, independently of parties, are preparing to make an insurrectionary descent here with ammunition and other necessities in order to proceed to hostilities against the Turks, and that our fellow provincials are ready to start.

But none of you writes what is their programme, *i.e.*, what they are aiming at by this movement. The curious thing is that they warn us who are in Crete to take care not to be found on the roads, which means that they will suddenly come to assassinate Turks, if they can, on the roads, and thus cause disturbances in the country, as last year, to the injury of the Christian element, as they will exasperate the Turks so that the natives will resort to reprisals, and the army to oppression and atrocities against the innocent industrious peasants, and they will complete the ruin which began in the last disturbances, and which caused so much misery to our wretched country. But a still more curious thing is that those who intend to come do not even ask the fools on whose heads the threatened storm will burst if it suits them for this to happen or not, or if they agree to being ruined without any good being done; for we are certain that no good can come of such a senseless movement, as the Sultan's Government and Europe, and all the world, have learned better what we are, and by what means we seek to frighten the world, and they are no longer afraid of us. But these men think that any idea they conceive will be accepted without question by the Cretan people, but they are entirely wrong.

Now, if you wish to know our own opinion on the subject, here it is: First, the Cretan people is not now in a condition to make an insurrection against the Sultan for the very simple reason that its powers are quite inadequate, and the time unpropitious, as a

universal peace prevails. Secondly, the people are in a wretched state economically, in other words they are dying of poverty, chiefly on account of these disturbances, and also owing to the bad crops of the last few years. The mountain districts especially have suffered most through the recent snow, &c., and already the inhabitants of those parts are in great difficulty how to live, especially as grain is very dear, and most of them obtain their supplies from the towns. If, therefore, communications with the towns were now cut off in consequence of disturbances, when would the people get bread, or those who talk of coming?

Be sure, Gentlemen, that in case of disturbances there would be the danger that through want of food we might turn our arms against one another. And for many other reasons which I do not mention, the Cretan people cannot move at the present time, so do not be deluded by any one into coming as insurrectionists, as you would be lost; the people in their despair would ruin you; no one would follow you except homeless beggars and outlaws, or men in the deepest misery; no one would give you bread, because none has got any, and also because people fear Government in case of betrayal. You must also bear in mind that as soon as it is known that you men of Aya Irene have come, soldiers will immediately be sent to camp at Aya Irene, Apanohon, and Omalos, and then we shall suffer in a way we never dream of; we shall lose our dearest possession, viz., our honour, as it appears that the soldiers have orders to debase us by attacking our honour, as they have done unfortunately hitherto in other parts of Crete.

What good, then, do those who want to come think they will do? Instead of good they will bring ruin and dishonour on their country. Do not, therefore, for God's sake, seek to disturb the short peace of this unfortunate country, which wants to heal its still fresh wounds, and to procure bread through the sweat of its brow, awaiting the favourable moment to demand its right.

We think it would be wiser for you all who are not persecuted and have work to land at Canea and go to your houses, and attend to your work, instead of remaining in Greece without reason, and burdening the nation, which certainly regard you with displeasure, as drones living on its toil, and doing nothing. Those who are liable to persecution had better stay where they are, and await the favourable moment when they will be invited by their country to do their duty on its behalf, if they do not first succeed in obtaining an amnesty and returning peacefully to their homes.

We tell you again to use every effort to stop this miserable movement, for since the people will not welcome it you will be alone, and will fail miserably, and it is not very unlikely that all of you who come will be utterly lost.

You must also know that neither man nor beast can go on the mountains before Easter on account of the snow which fell last February, and which hid even the cypresses and the wild pear trees.

No. 55.—Consul Biliotti to the Marquess of Salisbury.—(Received April 27.)

MY LORD,

Canea, Crete, April 14, 1891.

WITH reference to my despatch of the 7th instant, I have the honour to report that according to more accurate details received on the encounter of Friday last week, it would seem that shots had been exchanged at Poroselia, but that the real fight took place in the village of Aya Trini, where five or six outlaws had taken refuge, and that only one of the outlaws was killed, the other, who was severely wounded and left for dead by the soldiers, having feigned being dead, while the wound of the third was very slight. Although it was rumoured at one time that as many as seventy-two (out of a force of eighty) soldiers and gendarmes had been killed, a number which other Christians subsequently reduced to seven killed and nine wounded, there is no reliable evidence of any soldiers or gendarmes having been killed or even wounded. No native Christians had taken an open part with the outlaws, though some native Mussulmans who accompanied the detachment pretend that a few inhabitants of the village of Aya Trini fired from their houses on the troops; but this is hardly possible if, as the authorities maintain, no casualties have occurred amongst them. From the account of credible Christians the total number of outlaws that landed lately on the island, Liapis included, does not exceed sixty-five. No native Christians seem to have joined them, and since the incident at Aya Trini they have been seen nowhere in the same large strength.

On the 7th instant seven or eight outlaws were met by a flying column of soldiers and gendarmes on the heights above the village of Therissos, district of Cydonia, who fired at them without result. The detachment discovered a cave in which the outlaws had spent the night and left a few of their effects, and arrested ten Christians from the villages of Therissos and Keramia.

An exchange of shots, without result, took place on the 11th instant at Askypfos, between five outlaws and the Christian gendarmes of Sphakia. Djevad Pasha, although unwell and in bed, having received me on the 8th instant, I submitted to him the remarks contained at the end of my aforesaid despatch. His Excellency so fully admitted that great evil might result from the

Christians being indiscriminately arrested and kept in prison, that he gave orders for the immediate examination of those who had already been and might subsequently be brought down by the force pursuing the outlaws. As, in consequence of the Vali's indisposition, his orders might have been neglected, I called next day on Berovich Pasha, the Mushavir, and also saw Hassan Bey, the Colonel of gendarmerie, both of whom fully concurred in the same opinion, and had already acted on the orders given by the Vali. In consequence of subsequent arrests, the number of Christian prisoners from Aya Trini had increased to twenty-three when I saw Djevad Pasha; of these, Sophocles Fiotaki, the writer of the answer sent in translation in my immediately preceding despatch, was released that same day, and so were on the following day six other prisoners from Aya Trini, together with the ten from Therissos and Keramia. Since that date two other prisoners have been set at liberty.

Djevad Pasha explained to me that he did not expect there would be any fresh encounter between the flying columns of soldiers and the outlaws, as the latter would very likely disperse—a most satisfactory result, inasmuch as individual outlaws were quite a different thing from a body of even only fifty of them; and that in order to harass them, and to efficiently protect the Turkish villages, he had sent all the troops from Canea, leaving the artillerymen to guard the gates of the town; but that he would not trouble himself with sending after the outlaws in the villages in the mountains exclusively inhabited by Christians, who might compel them to return to where they had come from, if they did not want to give them bread.

The Mussulman Justice of the Peace at Boukolies, Cydonia, who, instead of encouraging his co-religionists in that part of the country, had excited their fear of outlaws, was immediately dismissed from his post.

On the 8th instant the Christian Demarchs of Cydonia addressed a Petition to the Christian Kaimakam of their district, in which they state that, with the view of delivering their co-religionists in the villages from the sufferings which the presence of outlaws is likely to bring on them, they beg to be allowed to arm, at the expense of the public, an adequate number of their co-religionists for the purpose of compelling the outlaws to leave the island, and, in case of refusal, of acting in concert with the competent authorities for pursuing them.

The authorities having granted this request, it appears that the Demarchs of Cydonia have gone to meet the outlaws, and although it is not expected that the Christians will make use of their arms against their co-religionists, if the Demarchs of the other western

districts were to follow the example of those of Cydonia, the demonstration against them would compel the outlaws to return to Greece.

It is reported by some Cretan refugees who have returned from Athens that at the head of those organizing the expedition of armed bands there are four Cretans, whose names I abstain from mentioning, who are only moved by greed of money, as they put in their pockets the best part of the sums collected for the purpose by subscriptions and other means.

Kacouri (the principal in the disturbances of the year 1889), Major Mavroyenni, Sculas, and Manoussakir Blazakis have arrived on Friday last from Greece, and most of the other leaders are expected next week.

Two Mussulmans were found shot dead, one of them with his head cut off, in the district of Pyriotissa.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 56.—Consul Biliotti to the Marquess of Salisbury.—(Received May 6.)

MY LORD,

Canea, Crete, April 25, 1891.

ON the 20th instant Djevad Pasha published a Notice to the following effect:—

“On the anniversary last year of the Sultan’s accession to the Throne, an amnesty was granted to the refugees who had been excepted from the previous general amnesty. Their names having been published in the Government Gazette No. 1205 of the 20th August, 1890, several of them returned here, freely resumed their usual occupations, and, far from being molested in any way, received, on the contrary, every facility on the part of the Government for the settlement of their pending affairs. But a number of refugees continue to remain in Athens, and, instead of being grateful for the favour accorded to them, are doing all they can, together with a few murderers and other criminals, to trouble the tranquillity of the peaceful inhabitants of the island by publishing from time to time incendiary notices, to which they affix their names. The Imperial Government will not overlook their proceedings, and especially the conduct of those who, having been pardoned for former offences, have not yet returned to Crete, but excite the natives by such publications.

“It is, therefore, publicly made known that all the refugees who have been pardoned, or who had committed no previous

offences, but who may henceforth take part in such dealings, will be punished according to the law."

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 57.—Consul Biliotti to the Marquess of Salisbury.—(Received May 6.)

MY LORD,

Canea, Crete, April 28, 1891.

WITH reference to my despatch of the 14th instant, I have the honour to report that the Demarchs of Cydonia went and met on the mountains the outlaws of their district, in order to induce them to leave the island without the inhabitants being compelled to have recourse to force. They subjected their acceptance of the proposal to an understanding with their companions from the other districts, and asked for a delay of a few days in order to concert with them. Similar steps, taken in the other districts, have been more or less successful. The outlaws from Apokorona asked for a written declaration from the Demarchs to the effect that their presence is not wanted by the population, a document on which they will, no doubt, claim subsidies on their return to Greece. Be this as it may, Dimitroyanni, one of the outlaw leaders, and Liapis left last week for Greece, the first with three, the second with four, companions, and it is expected that the other outlaws will follow as soon as they find an opportunity to do so. At the same time, on the 17th instant, the Demarchs of Cydonia sent direct to the Greek Ministry a Petition, pointing out the great damage done to the population of the island by the incursions of armed bands, and earnestly begging that they should be prevented from departing from Greece.

I understand that the Demarchs of the other western districts, if they have not already done so, will follow this example. The native Christians could not have given more evident proof of their dislike for the armed expeditions organized in Greece. I am told that, in consequence of the steps taken by the Cretan Demarchs, a few outlaws, who were ready to depart from Greece, have been prevented from embarking. In the meanwhile, the soldiers and gendarmes are keeping their posts in the country, but no armed bands have been seen or heard of within the last fortnight. The whole of the Christians from Aya Irene, fifteen in number, who were still in prison on the date of my immediately preceding despatch, have been released on bail on the 16th instant.

So far, therefore, as can be foreseen, the incidents connected with the lauding of the outlaws is at an end for the present, and nothing

could justify fresh ventures of this nature after the disapproval so publicly expressed by the Christians on this occasion.

Native Christians often advocate a general amnesty to outlaws, as a means of restoring tranquillity in this island. Half the number (that is, seventeen) of the band of thirty-five who murdered the three gendarmes (*vide* my despatch of the 7th instant) were refugees who were coming back with the intention of going to their homes, but who had been induced to follow the outlaws for the sake of the money, the arms, and the ammunition given to each of them. A few other refugees have followed the same course, but the seventeen in question, although they may not have participated in the crime, are now outlaws, by the fact of their having been in company of those who committed the murders.

There is no doubt that the return to their families of the outlaws would leave no native recruits in Greece for armed bands, but unless the advocated amnesty be coupled with an Extradition Convention with Greece, for unmistakable criminals at common law, there would be in no time fresh bands of outlaws in Greece. Last week, at Halepa, a young Greek murdered another by ripping open his belly while playing at cards; he escaped to Greece, and will, no doubt, come back some day as a champion of liberty. This is one of numerous cases. The number of Christians murdered by their co-religionists is, perhaps, superior to that of Mussulmans assassinated by Christians.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILLOTTI.

No. 58.—Consul Biliotti to the Marquess of Salisbury.—(Received May 6.)

MY LORD,

Canea, Crete, April 28, 1891.

MR. VICE-CONSUL CALOCHERINO has reported to me that within the last twelve days two Christians were found murdered in the district of Monofatsi, one in that of Kenurio, and another at Kakou Oros. These murders are in retaliation for previous murders of Mussulmans, two of which I reported at the end of my despatch of the 14th instant. The Mutessarif of Candia went to Kenurio, and the Under-Governor to Monofatsi, to investigate these cases. A certain Hussein Raftaki, a Mussulman, has been apprehended at Kenurio as the supposed murderer of the Christian in that district. Another Christian was stabbed to death by a Mussulman, with whom he had a quarrel near the town of Candia. The Orthodox Archbishop complained to the Mutessarif that Mussulman outlaws, of whom there are four in the Province of Candia, were coming into the

town to interview native Mussulmans, amongst whom is a certain Hakki Bey Brotzeraki, who is supposed to have great influence with Mussulmans in the district of Messara. One of these outlaws, named Sadik Rizvanaki, has been just apprehended wearing a soldier's uniform. The other three Mussulman outlaws are said to be also dressed as soldiers, which enables them to approach Christians without exciting their suspicion. It is also stated that a few Christian outlaws and thieves are committing many robberies on the road to Minabello.

Mr. Vice-Consul Calocherino has further reported to me that Giorgi Pasha Berovich, the Mushavir at Canca, who proceeded lately to Candia to inquire into the state of affairs, has just dismissed the Major of gendarmerie in that town, who was a native of Selinos, and unfit for that post.

Mr. Vice-Consul Trifilli has also reported to me that the two Mussulmans who had assisted in the abduction of a young Christian girl in the village of Maroula (*vide* my despatch of the 24th ultimo) having surrendered, have been imprisoned by the Turkish authorities. The principal is still absconding, together with the girl.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 59.—Sir E. Monson to the Marquess of Salisbury.—(Received May 6.)

MY LORD,

Athens, April 29, 1891.

THE "Kairoi" ("Times"), which is M. Delyanni's principal organ in the press, publishes this morning an article on the "situation in Crete," which contains the following very sensible reflections:—

It points out that it is unreasonable to blame the Government for having co-operated with Djevad Pasha in compelling the insurgents to leave the island, because it is notorious that bands of outlaws, who are no better than brigands, have latterly been roaming about, causing infinite damage to the Christian population. Murdering here and there a stray Turk or an Albanian gendarme, they simply give the Mussulmans a good reason for revenging these assassinations; and their conduct does nothing but degrade the Cretan question. The Sultan very reasonably refuses to sanction the grant of concessions, or the return to the *status quo ante*, as long as anarchy and crime pervade the island. Fully aware of this, the Christians, who have themselves suffered much from the insurgents, or, as they should be called, the brigands, have been anxious to drive them away; and it is they who have compelled

Liapis and his fellows to leave the island quietly, and take refuge in Greece.

It is highly satisfactory that a Ministerial paper of so much authority as the "*Kaipo*" should have the courage to speak out so frankly.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

No. 60.—Consul Biliotti to the Marquess of Salisbury.—(Received May 25.)

MY LORD,

Canea, Crete, May 12, 1891.

I HAVE the honour to report that perfect tranquillity has prevailed all over the island during the last fortnight.

Last week twenty-one out of the sixty or sixty-five outlaws who had come over from Greece returned to that country. These individuals, together with Dimitroyanni and Liapis, whose departure with seven companions I reported in my despatch of the 28th ultimo, represent half the armed bands who had landed here, and the remainder are also expected to embark in a few days.

There are no native bands, but, as is always the case, several armed individuals who are wanted by the police keep to the mountains, and although they may commit murders and other outrages, they can in no way trouble the general tranquillity of the island.

Thanks to the measures taken by the Turkish authorities no regrettable incident of any sort has taken place during the Greek Holy Week and Easter, which happened to fall within the last fortnight, and during which the Christian women and children have been as usual crowding the streets day and night, and the men discharging fire-arms. On Good Friday (the 1st instant) two Christians, having been told by a Christian Bey that the Mussulmans were parading in a street in the Turkish quarter a mock imitation of Christ's tomb, they went to the place mentioned to them and saw a portable stand carried by two Turks. They rushed and made a report to the Greek Bishop, who immediately made a written complaint to the Vali. The latter sent for the informers and forwarded them with an officer of gendarmerie and the Juge d'Instruction to the Turkish quarter, where it was discovered that what the Christians had taken for a mock imitation of Christ's tomb was merely a portable table with sweetmeats on, which two Turks had been carrying about in the streets during Ramazan, that is, for about a month. The Vali considering that the two Christian informers had acted in bad faith put them in prison, but released them a few hours later on bail at the request of the Greek Consul-General, postponing the trial of the case until after Easter. The

Greek Bishop intended as usual to go round the streets during the night of Good Friday with the Epitaphios, that is, a representation of Christ's tomb, but some of the Christian population having made opposition a scuffle took place in the church, threats were uttered, walking-sticks were lifted, children and women screamed, some of the latter fainted, and ultimately the intention of making the usual procession was abandoned by the Bishop, who, fearing some more serious disturbance among his co-religionists, abstained from going to church even on the day following, Saturday.

The anniversary of the King of Greece's birthday was celebrated as usual, without any incident taking place, the people having been allowed full liberty to discharge fire-arms and shout "Long live the King!"

Four days ago a Mussulman sergeant of gendarmerie and a Christian gendarme, having come to words while drinking wine in a café at Selinos, the latter stabbed the former to death.

A Christian was killed by one of his co-religionists in a quarrel in the district of Rethymo, and another in a similar circumstance in the district of Mylopotamo.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 61.—Consul Biliotti to the Marquess of Salisbury.—(Received June 2.)

MY LORD,

Canea, Crete, May 26, 1891.

WITH reference to my despatch of the 12th instant, I have the honour to report that nine outlaws having departed since that date the total number of those who have returned to Greece now amounts to thirty-nine. As according to most reliable information, the number of those still remaining here does not exceed twelve, the total number of the outlaws who had lately disembarked here, and about whom so much noise was made, was only fifty-one, instead of sixty or sixty-five, as it was hitherto believed.

The Albanian sergeant of gendarmerie at Selinos, whose murder I reported in my immediately preceding despatch, was murdered by one of his countrymen, and not by a Christian gendarme as it had been stated at first.

Last week a few shots without effect were exchanged between a few outlaws and gendarmes in the neighbourhood of Askyfas, and a week before a Christian was murdered by Christians in the village of Tsitsifes, in Apokorona.

In Selinos, a Christian named Papo Casselakis, a brother of
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the outlaw killed by the troops at the beginning of April last in the fight in the village of Aya Irene, having been murdered, the presumed Mussulman murderer has been apprehended, and the Mussulmans of the village near which the murder took place have been disarmed.

Mr. Vice-Consul Calocherino has reported to me that, in consequence of the murders which had recently taken place in the southern districts of Candia, the Governor obtained from the Christian inhabitants a document in which they engaged not to give shelter to outlaws in their villages, and in order to enable them to carry out their promise, has incorporated nine Christian gendarmes in the local Albanian corps.

A Mussulman having been wounded at Monofatsi, a few rifles have been confiscated in the Christian village where the attempt at murder had been committed. A Christian has been wounded in the neighbourhood of the town by a Mussulman, and another Christian has been murdered by one of his co-religionists in the district of Malevisi. It would appear that communications between the villages and the town of Candia not being considered as very secure by Christians, they travel in companies of five or six individuals together.

Mr. Vice-Consul Trifilli has reported to me that about ten days ago an Albanian gendarme having shot dead a Christian in the village of Milidoni, at Mylopotamo, the Christians wounded one and killed two Albanian gendarmes.

The details given are that seven gendarmes had been drinking in a café, and that in coming out of it one of them shot dead a Christian, his co-religionists say without provocation, the gendarmes maintain because he tried to snatch their companion's rifle from his hands, and this appears to be the conclusion arrived at by the Military Commander, Shakir Bey (who is the Vali's brother), who, together with the Juge d'Instruction, had proceeded at once to Milidoni to make an inquiry.

Two Christians having been found dead in the district of Amari, their death had been attributed to the Mussulman outlaw, Mazloumi, but it has just been discovered that one of the victims had been murdered by one of his co-religionists. Several Mussulmans have been arrested on suspicion for the other murder. Besides, from others, murders committed in the western villages of Rethymo by Christians on their co-religionists, the following murder has taken place at Garazzo, Mylopotamo. Not finding in his house a pardoned outlaw who was owing taxes, the collector ordered a Christian gendarme, who accompanied, to keep in his custody an ox belonging to the debtor until he paid the full amount of his taxation. On his return home, the outlaw took his

arms, and, finding him fast asleep in a café, shot him dead and made good his escape, although two Albanian gendarmes were not very far from the scene of the crime.

The mother of the Christian young girl who was abducted in the village of Maroula (*vide* my despatch of the 24th March last), has handed, a few days ago, petitions to the Vali and to the Consuls, asking assistance for the discovery of her under-age daughter, who is still missing.

The Mussulmans state that the Christian young girl in question was sent to Boudroum, but the Christians maintain that she is still kept concealed in the town of Rethymo. This abduction is in retaliation for that of an under-age Mussulman young girl, which took place last year in the same district, and who is in Greece since that time.

As I am writing I receive a telegram from Candia, informing me that in Monofatsi a priest was found murdered, and his head cut off.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 62.—Consul Biliotti to the Marquess of Salisbury.—(Received June 16.)

MY LORD,

Canea, Crete, June 5, 1891.

WITH reference to the murder at Monofatsi of a priest, whose head was cut off, which I reported at the end of my despatch of the 26th ultimo, I have the honour to report that the Vali had given immediate orders that the property of the murderers who were known should be sequestered, their relatives imprisoned until the apprehension of the guilty parties, and the Mussulmans of that village disarmed. His Excellency told me that he would be glad if our Vice-Consul would report to me, for his information, whether his orders had been punctiliously carried out or not. The Mutessarif of Candia proceeded to the scene of the murder, and succeeded in arresting the Mussulman murderers, who were two brothers, Moustafa and Ibrahiin Pstaehtaiakides, from the village of Soures. The priest, who belonged to the village of Stavages, was called Giorgi Papadoyanni, and had had a previous difference with the murderers concerning some landed property. But the Governor of Candia having captured the assassins did not think it necessary to sequester their property, or to disarm the Mussulman inhabitants of Soures. I reported the fact to Djavad Pasha, who had not yet received detailed information from the Mutessarif, but who appeared inclined to have his original instructions fully carried out.

About a fortnight ago the Christian community at Candia had held a meeting at the Archbishop's palace, and elected three delegates, who were to come to an understanding with the Christian community of Rethymo, and come here to consult with Djervad Pasha for devising means to secure the public tranquillity of the island. But it having been given out that the Vali, who had proceeded to Rethymo, would proceed as far as Candia, the departure of the delegates was postponed, while his Excellency's journey did not extend further than Rethymo.

The object of the Vali's visit to that town was to inquire into the murder last week, on the confines of the district of Amari, of four Mussulmans (one of whom was a boy of 10 years of age) out of a party of seven who were proceeding from their native town of Rethymo to a village for the purpose of dividing lands they had just inherited, and who were shot dead on the road by several Christians who were lying in ambush. The head of one of the victims had been cut off. It was stated that this crime had been committed by outlaws; but this does not appear to be the case, as, on information given by the surviving Mussulmans, seventeen native Christians have been imprisoned on suspicion.

This quadruple murder of quiet individuals, against whom there was no motive for revenge, having produced a very deep impression all over the island, the Vali went at once to Rethymo, where the feeling was naturally more intense than elsewhere, in order to prevent retaliation on the part of his co-religionists. He told them that, if they took the law into their own hands, being in the minority, they would not only suffer themselves, but that their conduct would be a sort of treason towards the Imperial Government, and that they could be sure that no other Mussulman Vali would ever be appointed in the island if he were not more successful than a Christian Governor in maintaining the public security. He engaged them at the same time to send out of the island (as the Christians had done with their co-religionists) the Mussulman outlaws. This they may do, but the watchword among both Christians and Mussulmans being life for life, it is hardly to be expected that, sooner or later, no retaliation will follow on the part of the Turks. If the Mussulman village to which the murderers of the priest at Monofatsi belong were disarmed, the same measure could be adopted in the Christian village of the Rethymo district, where the murder of the four Mussulmans was committed.

Next to capital punishment, the confiscation of arms is the greatest check against murder that can be put on Cretana. A general disarmament of the population could not be carried out without effusion of blood; but the confiscation of arms from villages

near the scenes of murder is easy, and as assassinations are of daily occurrence, the local disarmament, if strictly and impartially enforced, will amount in a not very remote period of time to a general disarmament, unless murders are entirely checked by the measure.

While at Rethymno, Djevad Pasha caused to be imprisoned the two Mussulmans who had taken part in the elopement of a Christian girl at Maroula, near Rethymno, and who had been released by the Procureur Impérial.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 63.—Consul Biliotti to the Marquess of Salisbury.—(Received June 16.)

MY LORD,

Canea, Crete, June 8, 1891.

ON Thursday last the Administrative Council was called on to elect new members to the Court of Appeal, the time of those hitherto in office having expired. The Vali told the Administrative Council that they were to reject the candidature of all Cretans coming under the following exceptions:—

1. Those who had resigned their post since the year 1891;
2. Those who had refused to accept offices offered to them by the Local Government within the same period;
3. Those who had taken refuge in Greece after the late disturbances;
4. Practising lawyers; and
5. Foreign subjects.

His Excellency is said to have proposed several candidates, three of whom (two Christians and one Mussulman) were elected by the Administrative Council, and three of the former members were maintained in their functions. The choice, although not bad, might have been better; but the complaints of Christians (most of whom are now willing to accept office) are in proportion to the number of disappointed candidates, and they think that the new Court will only be a tool in the hands of the present Vali.

This Court is now called upon to elect the Judges of the Courts of First Instance, and the members of these Tribunals may be as acceptable as those of the Court of Appeal. However, all these arrangements can only be, and are only, considered as simply temporary, and as being far from answering the requirements of the island. A radical reform is indispensable.

I have heard a rumour to the effect that the Administrative Councillors having resigned last year, and having been reappointed

by an order of the Porte, and not by an Iradé, they hold their offices illegally; and hence it follows that the elections they have just made of Judges to the Court of Appeal, and those which the latter are going to make of Judges of the Lower Courts, are as illegal. Should this assertion be true, there would be such an amount of litigation in the future that the question should be cleared up and arranged before the evil is allowed to make further progress.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 64.—Consul Biliotti to the Marquess of Salisbury.—(Received June 23.)

MY LORD,

Canea, Crete, June 15, 1891.

I HAVE the honour to report that Giorgi Kladapoulo, the brother of the Christian young girl Eleni Kladapoulo, who had gone after her to Constantinople, having just returned here, has informed me that on her arrival at the capital his sister was taken and handed to the Greek Patriarch at once by the Albanian officer of gendarmerie in whose charge she had been given by the Vali, and that a few days after, having been called to the Porte, where, in the presence of the Dragoman of the Hellenic Legation, she declared that she was a Christian, she was handed to her brother and conveyed by him to Greece, where he left her.

When in the dress of a Turkish woman, unattended by any of her relatives, and in charge of a Mussulman officer, Eleni Kladapoulo was embarked on board one of the Mahsoussé steamers, the officers and crews of which are all Mussulmans, the Christians were convinced that she would be shut up in some Turkish harem at Constantinople, and never be heard of again.

The straightforward course followed by Djavad Pasha in this case has produced a most satisfactory impression among the Christian community, and great credit is due to him for having given strict instructions to the officer who accompanied her as to insure her safe arrival to her destination.

His Excellency was fortunate to hit upon an officer who carried out these instructions to the letter, which is not always the case here.

Giorgi Kladapoulo added that the Greek Patriarch had received no information whatever concerning the case of his sister, and that the Albanian officer had to find the Patriarchate by inquiring along the road.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 65.—Consul Biliotti to the Marquess of Salisbury.—(Received June 30.)

(Extract.)

Canea, Crete, June 19, 1891.

I HAVE the honour to report that the last twelve outlaws of the fifty-one who had arrived from Greece, and who were still on the island (*vide* my despatch of the 26th ultimo), have returned last week to that country, together with three individuals who had committed murders recently. A few weeks ago a Christian was killed by some of his co-religionists at Tsitsifes, Apokorona, and another at Platania, Cydonia, in a quarrel.

The authors of the murder of four Mussulmans at Rethymo, which I reported in my despatch of the 5th instant, have not been discovered; but it would appear that a few weeks back six or seven outlaws from Greece landed at Mylopotamo, and that they committed the crime. Since that date a Mussulman going from Candia to Rethymo has been found murdered on the road, and two Christian shepherds (the details of which case I shall report in a separate despatch) have been shot dead in the same province by a flying column of soldiers, and a native Mussulman gendarme who accompanied them. The widows of the victims have handed addresses to Djavad Pasha and to the Vice-Consuls at Rethymo. The Mussulman outlaw Mazlounaki has been sent to Egypt by his co-religionists in the town of Rethymo.

According to a Petition from the Notabilities of the districts of Monofatsi (Candia) and Rigo (Sassithi), the inhabitants of the village of Harakas, on the confines of the two districts, have had much suffering under the following circumstances:—

A known Mussulman criminal named Bitsazali, from Dioniso, together with a companion, having gone to Harakas, proffered insulting words against the Christians sitting in the café, and having tried to make use of his revolver, was shot at by one of the bystanders, but was so slightly wounded on the forehead that his wound did not prevent his leaving the village.

This incident having given rise to the rumour that Bitsazali had been murdered, the Mussulmans of the surrounding villages came in numbers to Harakas threatening the destruction of the Christian property, which had a beginning of execution in the cutting down of a few trees, the wrecking of a few beehives, &c., and which was prevented from extending further by the timely arrival of the Mussulman Governor of the district, who, however, is accused of having said that Christians had only what they deserved.

The day following the Mutessarif of Candia arrived with 200 soldiers, and ordered the disarmament of the inhabitants, which

was carried out by the soldiers breaking open doors, proffering insulting words, and striking the Christians, and resulted in the confiscation of about twenty rifles. The petitioners add that while no Mussulman but many Christians have been murdered in their district last year, and especially within the last few days, no arms have ever been confiscated from Mussulman villages, and that the unequal treatment of Christians and Mussulmans daily increases the despair in which the former have been during the last two years.

A few days after this address had been handed to the authorities, two Christians having been found murdered and their heads cut off near the River Epano Sifi, Monofatsi, many Christians of the surrounding villages went to Candia and complained of this state of things. In consequence of these circumstances, the Christian community have addressed last week a telegram to the Sultan and another to the Vali, each bearing 108 signatures. They submit that their situation is getting worse from day to day; that individuals working in their fields are pitilessly slaughtered; that eighteen such murders have been committed in the Province of Candia within the last month; that the bands of assassins who are overrunning the country threaten to prevent all communications; that many Christians are beaten and abused; that the gendarmerie show partiality towards Mussulmans, and do not execute their duties; that this state of things may end in disturbances similar to those which have taken place two years back; and that they make an appeal to the benevolent dispositions of His Majesty. In the Vali's telegram they add that Mussulmans are going about armed with impunity, and that the appeal they now make is the last they address to his Excellency.

In consequence of two Christians having been murdered, and two wounded, at Selinos within the last three or four weeks, while no outrage has been committed against Mussulmans during the same period, the Christian Demarchs of that district have come to Canea, and complained to Djavad Pasha that while they caused the outlaws in their district, whether natives or from Greece, to embark for that country, the Christians at Selinos can find no security. They expressed the opinion that the presence of the troops, which is no longer necessary to protect Mussulman villages against outlaws, and who do not so strictly prevent their co-religionists as they do Christians from carrying arms, encourages native Mussulmans to commit outrages against them. Djavad Pasha answered that he intended to visit their district, but that as he could only do so after having called in the eastern districts (to which he is about to proceed), he had in the meanwhile sent to Selinos Emin Bey, an able Colonel of gendarmerie, in order to take such measures

as were called for by circumstances; and in a further conversation which I had with him, his Excellency informed me that he had sent a second officer of gendarmerie to assist the Colonel at Selinos, and to cause the departure from the island of the three Mussulman outlaws who were in that district.

The Christians at Candia, Rethymo, and Selinos appear to be greatly excited, especially in the former province, where they think, not without reason I believe, that the present Mutessarif is unfit for the post he holds, and, in fact, it would be most difficult to find for that place another so able a Governor as Abdul Kerim Pasha, who is now most deeply regretted by Christians in Candia, as well as by Mussulmans.

At the present moment it is rather the Mussulmans who are the disturbing element of the public peace, for even the recent murder of the four innocent Turks in the district of Amari is nothing but retaliation for previous murders of Christians in that district. It is much easier for a Mussulman Vali to bring to account his co-religionists than Christians, even when there is among the former some underlying intrigue against him, as I suspect is the case at present in Candia.

The Marquess of Salisbury.

ALFRED BILIOTTI.

No. 66.—Consul Biliotti to the Marquess of Salisbury.—(Received June 30.)

MY LORD,

Canea, Crete, June 23, 1891.

DJEVAD PASHA left in the night of Saturday last for his intended tour in the districts of the island, and told me that he expected to be absent about one and a-half months.

I avail myself of the opportunity of the Mushavir, Georgi Pasha Berovich, being left in charge here during that lengthy period, to report that that functionary has, since his arrival here, shown great administrative qualities and uncommon energy, which have gained for him the regard of his co-religionists, who expected to find in him a blind tool in the hands of the Mussulman Acting Vali, and that while I have heard of no complaints against him on the part of the Mussulman population, Djevad Pasha told me that he, himself, placed great confidence in the character and ability of the Christian Mushavir, Georgi Pasha.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

RÈGLEMENT de Détail et d'Ordre pour l'Exécution de la Convention de l'Union Postale Universelle, conclue à Vienne, le 4 Juillet, 1891. — Vienne, le 4 Juillet, 1891.*

LES Soussignés, vu l'Article .XX de la Convention Postale Universelle conclue à Vienne, le 4 Juillet, 1891,* ont, au nom de leurs Administrations respectives, arrêté d'un commun accord les mesures suivantes, pour assurer l'exécution de la dite Convention.

I.—Direction des Correspondances.

1. Chaque Administration est obligée d'expédier, par les voies les plus rapides dont elle peut disposer pour ses propres envois, les dépêches closes et les correspondances à découvert qui lui sont livrées par une autre Administration.

2. Les Administrations qui usent de la faculté de percevoir des taxes supplémentaires, en représentation des frais extraordinaires afférents à certaines voies, sont libres de ne pas diriger par ces voies, lorsqu'il existe d'autres moyens de communication, celles des correspondances insuffisamment affranchies pour lesquelles l'emploi des dites voies n'a pas été réclamé expressément par les envoyeurs.

II.—Échange en Dépêches Closes.

1. L'échange des correspondances en dépêches closes, entre les Administrations de l'Union, est réglé d'un commun accord et selon les nécessités du service entre les Administrations en cause.

2. S'il s'agit d'un échange à faire par l'entremise d'un ou de plusieurs pays tiers, les Administrations de ces pays doivent en être prévenues en temps opportun.

3. Il est d'ailleurs obligatoire, dans ce dernier cas, de former des dépêches closes toutes les fois que le nombre des correspondances est de nature à entraver les opérations d'une Administration intermédiaire, d'après la déclaration de cette Administration.

4. En cas de changement dans un service d'échange en dépêches closes, établi entre deux Administrations par l'entremise d'un ou de plusieurs pays tiers, l'Administration qui a provoqué le changement en donne connaissance aux Administrations des pays par l'entremise desquels cet échange s'effectue.

III.—*Services Extraordinaires.*

Les services extraordinaires de l'Union donnant lieu à des frais spéciaux dont la fixation est réservée, par l'Article IV de la Convention, à des arrangements entre les Administrations intéressées, sont exclusivement :—

(1.) Ceux qui sont entretenus pour le transport territorial accéléré de la malle dite des Indes ;

(2.) Celui que l'Administration des Postes des États-Unis d'Amérique entretient sur son territoire pour le transport des dépêches closes entre l'Océan Atlantique et l'Océan Pacifique :

(3.) Celui qui est établi pour le transport des dépêches par chemin de fer entre Colon et Panamá.

IV.—*Fixation des Taxes.*

1. En exécution de l'Article X de la Convention, les Administrations des pays de l'Union qui n'ont pas le franc pour unité monétaire perçoivent leurs taxes d'après les équivalents ci-dessous :

Pays de l'Union.	25 centimes.	10 centimes.	5 centimes.
Allemagne	20 pfennig	10 pfennig.	5 pfennig.
Protectorats Allemands—			
Territoire de Cameroun, Com-			
pagnie de la Nouvelle-Guinée,			
Territoire de Togo, Territoire			
de l'Afrique du Sud-Ouest,			
Territoire de l'Afrique Orientale,			
Territoire des Iles Marshall	20 pfennig	10 pfennig	5 pfennig.
Argentine (République)	8 centavos	4 centavos	2 centavos.
Autriche-Hongrie	10 kreuzers	5 kreuzers	3 kreuzers.
Bolivie	5 centavos	2 centavos	1 centavo.
Bésil	100 reis	50 reis	25 reis.
Canada	5 cents	2 cents	1 cent.
Chili	5 centavos	2 centavos	1 centavo.
Colombie	5 centavos	2 centavos	1 centavo.
Costa Rica	5 centavos	2 centavos	1 centavo.
Danemark	20 öre	10 öre	5 öre.
Colonies Danoises—			
Groënland	20 öre	10 öre	5 öre.
Antilles Danoises	5 cents	2 cents	1 cent.
Dominicaine (République)	5 centavos	2 centavos	1 centavo.
Égypte	1 piastre	5 millièmes de livre	2 millièmes de livre.
Équateur	5 centavos	2 centavos	1 centavo.
Colonies Espagnoles—			
Cuba, Porto-Rico, Iles Philippines			
et dépendances, et établisse-			
ments du Golfe de Guinée	5 centavos	2 centavos	1 centavo.
États-Unis d'Amérique	5 cents	2 cents	1 cent.

Pays de l'Union.	25 centimes.	10 centimes.	5 centimes.
Grande-Bretagne	2½ pence	1 penny	½ penny.
Colonies Britanniques—			
Antigua, Bahamas (Iles), Bar-			
bade, Bermudes, Côte - d'Or,			
Dominique, Falkland (Iles),			
Gambie, Grenade, Jamaïque,			
Lagos, Malte, Montserrat, Nevis,			
Saint-Christophe, Sainte-Lucie,			
Saint - Vincent, Sierra - Léone,			
Tabago, Trinité, Turques (Iles),			
et Vierges (Iles)	2½ pence	1 penny	½ penny.
Guyane Anglaise, Hong Kong,			
Laboon, Straits Settlements, et			
Terre-Neuve	5 cents	2 cents	1 cent.
Bornéo du Nord Britannique ..	6 cents de	3 cents de	1 cent de
	dollar	dollar.	dollar.
Honduras	6 cents	3 cents	1 cent.
Maurice (Ile) et dépendances ..	10 cent. de	4 cent. de	2 cent. de
	roupie	roupie	roupie.
Chypre	2 piastres	1 piastre	½ piastre
	ou 80 paras	ou 40 paras	ou 20 paras.
Ceylan	14 cent. de	5 cent. de	2½ cent. de
	roupie	roupie	roupie.
Australasie	2½ pence	1 penny	½ penny.
Guatemala	5 centavos	2 centavos	1 centavo.
Haïti	5 centavos	2 centavos	1 centavo.
	de piastre	de piastre	de piastre.
Hawaï	5 cents	2 cents	1 cent.
Honduras (République)	5 centavos	2 centavos	1 centavo.
Inde Britannique	2 annas	½ anna	¼ anna.
Japon	5 sen	2 sen	1 sen.
Libéria	5 cents	2 cents	1 cent.
Mexique	5 centavos	2 centavos	1 centavo.
Monténégro	10 soldi	5 soldi	3 soldi.
Nicaragua	5 centavos	2 centavos	1 centavo.
Norvège	20 öre	10 öre	5 öre.
Paraguay	5 centavos	2 centavos	1 centavo.
	de peso	de peso	de peso.
Pays-Bas et Colonies Néerlandaises .	12½ cents	5 cents	2½ cents.
Pérou	5 centavos	2 centavos	1 centavo.
Perse	7 shahis	3 shahis	1 shahi.
Portugal et Colonies Portugaises,			
sauf l'Inde Portugaise	50 reis	20 reis	10 reis.
Inde Portugaise	2 tangas	10 reis	5 reis.
Russie	10 kopeks	4 kopeks	2 kopeks.
Salvador	5 centavos	2 centavos	1 centavo.
	de peso	de peso	de peso.
Siam	7½ atts	3 atts	1½ att.
Suède	20 öre	10 öre	5 öre.
Turquie	40 paras	20 paras	10 paras.
Uruguay	5 centavos	2 centavos	1 centavo.
	de piastre	de piastre	de piastre.

2. En cas de changement du système monétaire dans l'un des pays susmentionnés, l'Administration de ce pays doit s'entendre avec l'Administration des Postes Suisses pour modifier les équivalents ci-dessus; il appartient à cette dernière Administration de

faire notifier la modification à tous les autres Offices de l'Union par l'intermédiaire du Bureau International.

3. Toute Administration a la faculté de recourir, si elle le juge nécessaire, à l'entente prévue au paragraphe précédent en cas de modification importante dans la valeur de sa monnaie.

4. Les fractions monétaires résultant, soit du complément de taxe applicable aux correspondances insuffisamment affranchies, soit de la fixation des taxes des correspondances échangées avec les pays étrangers à l'Union, ou de la combinaison des taxes de l'Union avec les surtaxes prévues par l'Article V de la Convention, peuvent être arrondies par les Administrations qui en effectuent la perception. Mais la somme à ajouter de ce chef ne peut, dans aucun cas, excéder la valeur d'un 20^e de franc (5 centimes).

V.—*Correspondance avec les Pays étrangers à l'Union.*

Les Offices de l'Union qui ont des relations avec des pays étrangers à l'Union fournissent aux autres Offices de l'Union la liste de ces pays, avec l'indication des conditions d'envoi auxquelles les correspondances sont soumises dans les relations dont il s'agit.

VI.—*Application des Timbres.*

1. Les correspondances originaires des pays de l'Union sont frappées d'un timbre indiquant le lieu d'origine et la date du dépôt à la poste.

2. A l'arrivée, le bureau de destination applique son timbre à date au verso des lettres et au recto des cartes postales.

3. L'application des timbres sur les correspondances déposées sur les paquebots dans les boîtes mobiles ou entre les mains des commandants incombe, dans les cas prévus par le paragraphe 3 de l'Article XI de la Convention, à l'agent des postes embarqué ou, s'il n'y en a pas, au bureau de poste auquel ces correspondances sont livrées.

4. Les correspondances originaires des pays étrangers à l'Union sont frappées, par l'Office de l'Union qui les a recueillies, d'un timbre indiquant le point et la date d'entrée dans le service de cet Office.

5. Les correspondances non affranchies ou insuffisamment affranchies sont, en outre, frappées du timbre "T" (taxe à payer), dont l'application incombe à l'Office du pays d'origine s'il s'agit de correspondances originaires de l'Union, et à l'Office du pays d'entrée s'il s'agit de correspondances originaires des pays étrangers à l'Union.

6. Les envois à remettre par exprès sont frappés d'un timbre

portant en gros caractères le mot "Exprès." Les Administrations sont toutefois autorisées à remplacer ce timbre par une étiquette imprimée ou par une inscription manuscrite, et souligné en crayon de couleur.

7. Tout objet de correspondance ne portant pas le timbre "T" est considéré comme affranchi et traité en conséquence, sauf erreur évidente.

VII.—*Indication du nombre de Ports.*

1. Lorsqu'une lettre ou tout autre objet de correspondance est passible, en raison de son poids, de plus d'un port simple, l'Office d'origine ou d'entrée dans l'Union, suivant le cas, indique, à l'angle gauche supérieur de la suscription, en chiffres ordinaires, le nombre des ports perçus ou à percevoir.

2. Cette mesure n'est pas de rigueur pour les correspondances dûment affranchies.

VIII.—*Affranchissement insuffisant.*

1. Lorsqu'un objet est insuffisamment affranchi au moyen de timbres-poste, l'Office expéditeur indique en chiffres noirs, apposés à côté des timbres-poste, le montant de l'insuffisance en l'exprimant en francs et centimes.

2. D'après cette indication, le bureau d'échange du pays de destination taxe l'objet au double de l'insuffisance constatée.

3. Dans le cas où il a été fait usage de timbres-poste non valables pour l'affranchissement, il n'en est tenu aucun compte. Cette circonstance est indiquée par le chiffre zéro (0), placé à côté des timbres-poste.

IX.—*Avis de Réception.*

1. Les envois dont l'expéditeur demande un avis de réception doivent porter l'annotation très apparente, "Avis de réception," ou l'empreinte d'un timbre portant, "A. R."

2. Les avis de réception doivent être établis par les bureaux de destination sur une formule conforme ou analogue au modèle (A) ci-annexé, et transmis par ces bureaux aux bureaux d'origine, chargés de les faire parvenir aux expéditeurs des envois auxquels ils se rapportent. Les avis de réception doivent être formulés en Français ou porter une traduction sublinéaire en cette langue.

X.—*Feuilles d'Avis.*

1. Les feuilles d'avis accompagnant les dépêches échangées entre deux Administrations de l'Union sont conformes au modèle (B)

joint au présent Règlement. Elles sont placées sous des enveloppes de couleur portant distinctement l'indication, "Feuille d'avis."

Dans les relations par mer qui, bien que périodiques et régulières, ne comportent pas d'échange quotidien ou à jour fixe, les bureaux expéditeurs doivent numérotter leurs feuilles d'avis d'après une série annuelle par chaque bureau d'origine et pour chaque bureau de destination, en mentionnant autant que possible, sur la feuille d'avis, le nom du paquebot ou du bâtiment qui emporte la dépêche.

2. Les objets recommandés sont inscrits au Tableau No. 1 de la feuille d'avis avec les détails suivants: le nom du bureau d'origine et le numéro d'inscription de l'objet à ce bureau; ou, le nom du bureau d'origine, le nom du destinataire, et le lieu de destination.

Dans la colonne "Observations," la mention "Remb." est ajoutée en regard de l'inscription des envois recommandés grevés de remboursement.

Les envois à faire remettre par exprès sont inscrits en nombre au Tableau No. 1 de la feuille d'avis.

Les avis de réception sont inscrits au Tableau précité, soit individuellement, soit en bloc, suivant que ces avis sont plus ou moins nombreux.

La partie de la feuille d'avis intitulée "Recommandations d'Office" est destinée à recevoir l'inscription des bulletins de vérification, des lettres de service ouvertes adressées par le bureau d'échange à son correspondant, ainsi que des communications du bureau expéditeur.

3. Lorsque le nombre des objets recommandés expédiés habituellement d'un bureau d'échange à un autre le comporte, il peut être fait usage d'une liste spéciale et détachée, pour remplacer le Tableau No. 1 de la feuille d'avis.

Le nombre des envois recommandés inscrits sur cette liste et le nombre de paquets ou de sacs qui renferment ces envois doivent être portés sur la feuille d'avis.

4. Au Tableau No. 2 on inscrit, avec les détails que ce Tableau comporte, les dépêches closes insérées dans l'envoi direct auquel la feuille d'avis se rapporte.

5. On indique, à l'angle droit supérieur de la feuille d'avis, le nombre de paquets ou de sacs détachés dont se compose chaque expédition pour une même destination.

6. Lorsqu'il est jugé nécessaire, pour certaines relations, de créer d'autres Tableaux ou rubriques sur la feuille d'avis, la mesure peut être réalisée d'un commun accord entre les Administrations intéressées.

7. Lorsqu'un bureau d'échange n'a aucun objet à livrer à un bureau correspondant, il n'en doit pas moins envoyer, dans la forme

ordinaire, une dépêche qui se compose uniquement d'avis.

8. Quand des dépêches closes sont confiées par l'Administration à une autre, pour être transmises au moyen du commerce, le nombre de lettres ou autres objets et la feuille d'avis ou sur l'adresse de ces dépêches.

XI.—*Transmission des objets recommandés*

1. Les objets recommandés, les avis de réception, exprès, et, s'il y a lieu, la liste spéciale prévue au paragraphe 1^{er} de l'Article X, sont réunis en un paquet distinct, qui est soigneusement enveloppé et cacheté de manière à en contenir le contenu.

2. A ce paquet est attaché extérieurement, par une ficelle, l'enveloppe spéciale contenant la feuille d'avis, qui est ensuite placée au centre de la dépêche.

3. La présence, dans la dépêche, d'un paquet d'objets recommandés dont la description est faite sur la liste spéciale au paragraphe 1^{er} ci-dessus, doit être annoncée par l'Administration à la tête de la feuille d'avis, soit d'une annotation spéciale, soit d'une étiquette ou du timbre de recommandation en usage dans le pays d'origine.

4. Il est entendu que le mode d'emballage et de transmission des objets recommandés, prescrit par les paragraphes 1^{er} et 2^{es} ci-dessus, s'applique seulement aux relations ordinaires. Dans les relations importantes il appartient aux Administrations de prescrire, d'un commun accord, des dispositions particulières sous réserve, dans l'un comme dans l'autre cas, des dispositions exceptionnelles à prendre par les chefs des bureaux de destination lorsqu'ils ont à assurer la transmission d'objets recommandés. Par leur nature, leur forme, ou leur volume, ne seraient pas susceptibles d'être insérés dans la dépêche.

Toutefois, les bureaux d'échange d'expéditeurs doivent, à la tête de la feuille d'avis, le cas échéant, le nombre des objets recommandés qui se trouvent dans la dépêche en dehors du sac spécial, parmi les correspondances ordinaires, et les inscrire sur les listes, dans la colonne "Observations," la colonne "en dehors" en regard de l'inscription de chacun de ces objets.

Ceux-ci sont autant que possible réunis en paquets distincts, d'une étiquette portant, en caractères apparents, les mots "objets recommandés en dehors," précédés d'un chiffre indiquant le nombre d'objets que contient chaque paquet.

5. Les avis de réception sont placés dans une enveloppe spéciale à l'Office distributeur des objets recommandés auxquels ils se rapportent.

rapportent. Ces enveloppes, revêtues de la mention, "Avis de réception; Bureau de poste de . . . (pays) . . .," sont soumises aux formalités de la recommandation et acheminées sur leur destination comme des objets recommandés ordinaires.

XII.—*Indemnité pour la Perte d'un Envoi recommandé.*

Lorsque l'indemnité due pour la perte d'un envoi recommandé a été payée par une Administration pour le compte d'une autre Administration, rendue responsable, celle-ci est tenue d'en rembourser le montant dans le délai de trois mois après avis du paiement. Ce remboursement s'effectue, soit au moyen d'un mandat de poste ou d'une traite, soit en espèces ayant cours dans le pays créditeur. Lorsque le remboursement de l'indemnité comporte des frais, ils sont toujours à la charge de l'Office débiteur.

XIII.—*Confection des Dépêches.*

1. En règle générale, les objets qui composent les dépêches doivent être classés et enliassés par nature de correspondances, en séparant les objets affranchis des objets non ou insuffisamment affranchis.

2. Toute dépêche, après avoir été ficelée, est enveloppée de papier fort en quantité suffisante pour éviter toute détérioration du contenu, puis ficelée extérieurement et cachetée à la cire ou au moyen d'un cachet en papier gommé, avec l'empreinte du cachet du bureau. Elle est munie d'une suscription imprimée portant, en petits caractères, le nom du bureau expéditeur et, en caractères plus forts, le nom du bureau destinataire, "de . . . pour . . ."

3. Si le volume de la dépêche le comporte, elle est renfermée dans un sac convenablement fermé, cacheté ou plombé et étiqueté.

4. Les paquets ou sacs renfermant des envois à remettre par exprès doivent porter extérieurement une désignation signalant ces objets à l'attention des agents postaux.

5. Lorsqu'il est fait usage d'étiquettes en papier, elles doivent être collées sur des planchettes.

6. Le poids de chaque sac ne doit pas dépasser 40 kilog.

7. Les sacs doivent être renvoyés vides au bureau expéditeur par le prochain courrier, sauf autre arrangement entre les Offices correspondants.

XIV.—*Vérification des Dépêches.*

1. Le bureau d'échange qui reçoit une dépêche constate si les inscriptions sur la feuille d'avis et, s'il y a lieu, sur la liste des objets recommandés, sont exactes.

Les dépêches doivent être livrées en bon état. réception d'une dépêche ne peut pas être refusée à mauvais état. S'il s'agit d'une dépêche pour un autre celui qui en a pris livraison, elle doit être emballée tout en conservant, autant que possible, l'emballage remballage est précédé de la vérification du contenu, s'assurer que celui-ci n'est pas resté intact.

2. Lorsque le bureau d'échange reconnaît des omissions, il opère immédiatement les rectifications sur les feuilles ou listes, en ayant soin de biffer, d'un trait les indications erronées de manière à laisser reconnaître les primitives.

3. Ces rectifications s'effectuent par le concours de la copie originale. A moins d'une erreur évidente, elles prévalent sur l'originale.

4. Un bulletin de vérification, conforme au modèle au présent Règlement, est dressé par le bureau expéditeur et envoyé sans délai, sous recommandation d'office, au destinataire. En même temps, un duplicata du bulletin est envoyé par le bureau destinataire à l'Administration du bureau expéditeur.

Dans le cas prévu au paragraphe 1 du présent Règlement, la copie du bulletin de vérification est insérée dans le remballage.

5. Le bureau expéditeur, après examen, renvoie le remballage avec ses observations, s'il y a lieu.

6. En cas de manque d'une dépêche, d'un objet ou d'une feuille d'avis ou de la liste spéciale, le bureau expéditeur informe immédiatement dans la forme voulue par deux agents d'échange destinataire, et porté à la connaissance de l'agent d'échange expéditeur au moyen du bulletin de vérification. Dans ce cas le comporte, ce dernier bureau peut, en outre, adresser un télégramme aux frais de l'Office expéditeur du télégramme.

7. En cas de perte d'une dépêche close, les agents d'échange sont rendus responsables des objets reçus renfermant la dépêche, dans les limites de l'Article 1er du Règlement, à condition que la non-réception de cette dépêche ait été signalée aussitôt que possible.

8. Lorsque le bureau destinataire n'a pas fait parvenir le premier courrier, au bureau expéditeur, un bulletin constatant des erreurs ou des irrégularités quelconques, ce document vaut comme accusé de réception de la dépêche et son contenu, jusqu'à preuve du contraire.

XV.—*Conditionnement des Objets recommandés.*

1. Les objets de correspondance adressés sous des initiales et ceux qui portent une adresse écrite au crayon ne sont pas admis à la recommandation.

2. Aucune condition spéciale de forme ou de fermeture n'est exigée pour les objets recommandés. Chaque Office a la faculté d'appliquer à ces envois les règles établies dans son service intérieur.

3. Les objets recommandés doivent porter une étiquette conforme ou analogue au modèle (D) annexé au présent Règlement, avec l'indication du nom du bureau d'origine et du numéro d'ordre sous lequel l'envoi est inscrit dans le registre de ce bureau.

Toutefois, il est permis aux Administrations dont le régime intérieur s'oppose actuellement à l'emploi des étiquettes, d'ajourner la mise à exécution de cette mesure et de continuer à employer des timbres pour la désignation des objets recommandés.

4. Les envois recommandés grevés de remboursement doivent être revêtus d'une annotation manuscrite, d'une empreinte de timbre ou d'une étiquette portant le mot "Remboursement."

5. Les envois recommandés non affranchis ou insuffisamment affranchis sont transmis aux destinataires sans taxe, mais le bureau qui reçoit un envoi dans ces conditions est tenu de signaler le cas à son Administration, afin qu'elle en informe l'Administration dont relève le bureau d'origine. Cette Administration procède d'après les règles suivies dans son service intérieur.

XVI.—*Cartes Postales.*

1. Les cartes postales doivent être expédiées à découvert. Le recto est réservé aux timbres d'affranchissement, aux indications relatives au service postal (recommandé, avis de réception, &c.), et à l'adresse du destinataire, laquelle peut être écrite à la main ou figurer sur une étiquette collée n'excédant pas 2 centim. sur 5.

En outre, l'expéditeur a la faculté d'indiquer au recto ou au verso son nom et son adresse, soit par écrit, soit au moyen d'un timbre, d'une griffe, ou de tout autre procédé typographique.

Des vignettes ou réclames peuvent être imprimées sur le verso.

A l'exception des timbres d'affranchissement et des étiquettes mentionnées au premier alinéa et au paragraphe 6 du présent Article, il est interdit de joindre ou d'attacher aux cartes postales des objets quelconques.

2. Les cartes postales ne peuvent excéder les dimensions suivantes : longueur, 14 centim.; largeur, 9 centim.

3. Autant que possible, les cartes postales émises spécialement en vue de la circulation dans l'Union Postale doivent porter, au recto, en langue Française ou avec traduction sublinéaire en cette langue, le titre suivant :—

CARTE POSTALE.

UNION POSTALE UNIVERSELLE.

(Côté réservé à l'adresse.)

4. Le timbre-poste représentant affranchissement figuré à l'un des angles supérieurs du recto; il en est de même du timbre supplémentaire qui pourrait être ajouté.

5. En règle générale, les cartes postales avec réponse payée doivent présenter, au recto, comme titre imprimé, sur la première partie, "Carte postale avec réponse payée;" sur la seconde partie, "Carte postale - réponse." Les deux parties doivent d'ailleurs remplir, chacune, les autres conditions imposées à la carte postale simple; elles sont repliées l'une sur l'autre et ne peuvent être fermées d'une manière quelconque.

6. Il est loisible à l'expéditeur d'une carte postale avec réponse payée d'indiquer son nom et son adresse au recto de la partie "Réponse," soit par écrit, soit en y collant une étiquette.

7. L'affranchissement de la partie "Réponse" au moyen du timbre-poste du pays qui a émis la carte n'est valable que si elle est expédiée à destination de ce pays. Dans le cas contraire, elle est soumise à la taxe des lettres non affranchies.

8. Les cartes postales simples et celles avec réponse payée, émanant de l'industrie privée, sont admises à la circulation internationale, pourvu que la législation du pays d'origine le permette et qu'elles soient conformes, au moins en ce qui concerne le format et la consistance du papier, aux cartes postales émises par l'Office des Postes d'origine.

9. Les cartes postales ne remplissant pas, quant aux dimensions, à la forme extérieure, &c., les conditions imposées par le présent Article à cette catégorie d'envois, sont traitées comme lettres.

XVII.—*Papiers d'Affaires.*

1. Sont considérés comme papiers d'affaires, et admis comme tels à la modération de port consacrée par l'Article V de la Convention, toutes les pièces et tous les documents, écrits ou dessinés en tout ou partie à la main, qui n'ont pas le caractère d'une correspondance actuelle et personnelle, tels que les pièces de procédure, les actes de tout genre dressés par les officiers ministériels, les lettres de voiture ou connaissements, les factures, les différents

documents de service des compagnies d'assurance, les copies ou extraits d'actes sous seing privé écrits sur papier timbre ou non timbre, les partitions ou feuilles de musique manuscrites, les manuscrits d'ouvrage, ou de journaux expédiée isolément, &c.

2. Les papiers d'affaires sont soumis, en ce qui concerne la forme et le conditionnement, aux dispositions prescrites pour les imprimés (Article XVIII ci-après).

XVIII.—*Imprimés de toute nature.*

1. Sont considérés comme imprimés et admis comme tels à la modération de port consacrée par l'Article V de la Convention, les journaux et ouvrages périodiques, les livres brochés ou reliés, les brochures, les papiers de musique, les cartes de visite, les cartes-adresses, les épreuves d'imprimerie avec ou sans les manuscrits s'y rapportant, les papiers revêtus de points en relief à l'usage des aveugles, les gravures, les photographies, les images, les dessins, plans, cartes géographiques, catalogues, prospectus, annonces et avis divers, imprimés, gravés, lithographiés, ou autographiés, et, en général, toutes les impressions ou reproductions obtenues sur papier, sur parchemin, ou sur carton, au moyen de la typographie, de la gravure, de la lithographie, et de l'autographie, ou de tout autre procédé mécanique facile à reconnaître, hormis le décalque et la machine à écrire.

Sont considérés comme faciles à reconnaître, les procédés mécaniques désignés par les noms de chromographie, polygraphie, hectographie, papyrographie, vélocigraphie, &c.; mais pour jouir de la modération de port, les reproductions obtenues au moyen de ces procédés doivent être déposées aux guichets des bureaux de poste, et au nombre minimum de vingt exemplaires parfaitement identiques.

2. Sont exclus de la modération de port, les timbres ou formules d'affranchissement, oblitérés ou non, ainsi que tous imprimés constituant le signe représentatif d'une valeur.

3. Ne peuvent être expédiés à la taxe réduite les imprimés dont le texte a été modifié, après tirage, soit à la main, soit à l'aide d'un procédé mécanique, ou a été revêtu de signes quelconques de manière à constituer un langage conventionnel.

4. Comme exception à la règle déterminée par le paragraphe 3 précédent, il est permis—

(a.) D'indiquer à l'extérieur de l'envoi le nom, la raison de commerce, et le domicile de l'expéditeur;

(b.) D'ajouter à la main, sur les cartes de visite imprimées, l'adresse de l'expéditeur, son titre, ainsi que des initiales conventionnelles (p. f., &c.);

(c.) D'indiquer ou de modifier sur l'imprimé même, à la main ou par un procédé mécanique, la date de l'expédition, la signature, ou la raison de commerce et la profession, ainsi que le domicile de l'expéditeur;

(d.) D'ajouter aux épreuves corrigées le manuscrit et de faire à ces épreuves les changements et additions qui se rapportent à la correction, à la forme, et à l'impression. En cas de manque de place, ces additions peuvent être faites sur des feuilles spéciales;

(e.) De corriger les fautes d'impression aussi sur les imprimés autres que les épreuves;

(f.) De biffer certaines parties d'un texte imprimé pour les rendre illisibles;

(g.) De faire ressortir au moyen de traits les passages du texte sur lesquels on désire attirer l'attention;

(h.) De porter ou de corriger à la plume ou par un procédé mécanique les chiffres, de même que le nom du voyageur et la date de son passage, sur les listes de prix-courants, les offres d'annonces, les cotes de bourse, et circulaires de commerce;

(i.) D'indiquer à la main, sur l'avis concernant les départs de navires, la date de ces départs;

(k.) D'indiquer sur les cartes d'invitation et de convocation le nom de l'invité, la date, le but, et le lieu de la réunion;

(l.) D'ajouter une dédicace sur les livres, papiers de musique, journaux, photographies, et gravures, ainsi que d'y joindre la facture se rapportant à l'ouvrage lui-même;

(m.) Dans les bulletins de commande de librairie (imprimés et ouverts, ayant pour objet la commande de livres, journaux, gravures, pièces de musique), d'indiquer au verso, à la main, les ouvrages demandés ou offerts, et de biffer ou de souligner au recto tout ou partie des communications imprimées;

(n.) De peindre les images de mode, les cartes géographiques, &c.

5. Sont interdites les additions faites à la plume ou au moyen d'un procédé mécanique qui enlèveraient à l'imprimé son caractère de généralité et lui donneraient celui d'une correspondance individuelle.

6. Les imprimés doivent être, soit placés sous bande, sur rouleau, entre des cartons, dans un étui ouvert des deux côtés ou aux deux extrémités, ou dans une enveloppe non fermée, soit simplement pliés de manière à ne pas dissimuler la nature de l'envoi, soit enfin entourés d'une ficelle facile à dénouer.

7. Les cartes-adresses et tous imprimés présentant la forme et la consistance d'une carte non pliée peuvent être expédiés sans bande, enveloppe; lien ou pli.

8. Les cartes portant le titre "Carte Postale" ne sont pas admises au tarif des imprimés.

XIX.—*Échantillons.*

1. Les échantillons de marchandises ne sont admis à bénéficier de la modération de port qui leur est attribuée par l'Article V de la Convention que sous les conditions suivantes.

2. Ils doivent être placés dans des sacs, des boîtes, ou des enveloppes mobiles de manière à permettre une facile vérification.

3. Ils ne peuvent avoir aucune valeur marchande, ni porter aucune écriture à la main que le nom ou la raison sociale de l'envoyeur, l'adresse du destinataire, une marque de fabrique ou de marchand, des numéros d'ordre, des prix, et des indications relatives au poids, au métrage, et à la dimension, ainsi qu'à la quantité disponible, ou celles qui sont nécessaires pour préciser la provenance et la nature de la marchandise.

4. D'un commun accord entre les Administrations intéressées, c'est-à-dire, entre les Administrations du pays d'origine et du pays de destination, et, s'il y a lieu, du ou des pays effectuant le transit à découvert ou en dépêches closes, les envois de liquides, huiles, corps gras, poudres sèches, colorantes ou non, ainsi que les envois d'abeilles vivantes, peuvent être admis au transport comme échantillons de marchandises, pourvu qu'ils soient conditionnés de la manière suivante :—

(1.) Les liquides, huiles, et corps gras facilement liquéfiables doivent être insérés dans des flacons en verre hermétiquement bouchés. Chaque flacon doit être placé dans une boîte en bois suffisamment garnie de sciure de bois, de coton, ou de matière spongieuse en quantité suffisante pour absorber le liquide en cas de bris de flacon. Enfin, la boîte elle-même doit être enfermée dans un étui en métal, en bois avec couvercle vissé ou en cuir fort et épais.

(2.) Les corps gras difficilement liquéfiables, tels que les onguents, le savon mou, les résines, &c., dont le transport offre moins d'inconvénients, doivent être enfermés sous une première enveloppe (boîte, sac en toile, parchemin, &c.), placée elle-même dans une seconde boîte en bois, en métal, ou en cuir fort et épais.

(3.) Les poudres sèches, colorantes ou non, doivent être placées dans des boîtes en carton, lesquelles elles-mêmes sont enfermées dans un sac en toile ou en parchemin.

(4.) Les abeilles vivantes doivent être renfermées dans des boîtes disposées de façon à éviter tout danger et à permettre la vérification du contenu.

XX.—*Objets groupés.*

Il est permis de réunir dans un même envoi des échantillons de marchandises, des imprimés, et des papiers d'affaires, mais sous réserve—

- (1.) Que chaque objet pris isolément ne dépasse pas les limites qui lui sont applicables quant au poids et quant à la dimension ;
- (2.) Que le poids total ne dépasse pas 2 kilog. par envoi ;
- (3.) Que la taxe soit au minimum de 25 centimes si l'envoi contient des papiers d'affaires, et de 10 centimes s'il se compose d'imprimés et d'échantillons.

XXI.—*Correspondances réexpédiées.*

1. En exécution de l'Article XIV de la Convention, et sauf les exceptions prévues au paragraphe 2 suivant, les correspondances de toute nature adressées, dans l'Union, à des destinataires ayant changé de résidence, sont traitées par l'Office distributeur comme si elles avaient été adressées directement de lieu d'origine au lieu de la nouvelle destination.

2. A l'égard des envois du service interne de l'un des pays de l'Union qui entrent, par suite de réexpédition, dans le service d'un autre pays de l'Union, on observe les règles suivantes :—

(1.) Les envois non affranchis ou insuffisamment affranchis pour leur premier parcours sont traités comme correspondances internationales, et frappés, par l'Office distributeur, de la taxe applicable aux envois de même nature directement adressés du pays d'origine dans le pays où se trouve le destinataire.

(2.) Les envois régulièrement affranchis pour leur premier parcours, et dont le complément de taxe afférent au parcours ultérieur n'a pas été acquitté avant leur réexpédition, sont frappés, suivant leur nature, par l'Office distributeur, d'une taxe égale à la différence entre le prix d'affranchissement déjà acquitté et celui qui aurait été perçu si les envois avaient été expédiés primitivement sur la nouvelle destination. Le montant de cette différence doit être exprimé en francs et centimes, à côté des timbres-poste, par l'Office réexpéditeur.

Dans l'un et l'autre cas, les taxes prévues ci-dessus restent exigibles du destinataire, alors même que, par suite de réexpéditions successives, les envois reviennent dans le pays d'origine.

3. Lorsque des objets primitivement adressés à l'intérieur d'un pays de l'Union et affranchis en numéraire sont réexpédiés à un autre pays, l'Office réexpéditeur doit indiquer, sur l'objet, le montant de la taxe perçue en numéraire.

4. Les objets de toute nature mal dirigés sont, sans aucun délai, réexpédiés par la voie la plus prompte sur leur destination.

5. Les correspondances de toute nature, ordinaires ou recommandées, qui, portant une adresse incomplète ou erronée, sont renvoyées aux expéditeurs pour qu'ils la complètent ou la rectifient, ne sont pas, quand elles sont remises dans le service avec une suscription complétée ou rectifiée, considérées comme des correspondances réexpédiées, mais bien comme de nouveaux envois, et deviennent, par suite, passibles d'une nouvelle taxe.

XXII.—*Rebuts.*

1. Les correspondances de toute nature qui sont tombées en rebut, pour quelque cause que ce soit, doivent être renvoyées, aussitôt après les délais de conservation voulus par les règlements du pays destinataire, et au plus tard dans un délai de six mois dans les relations avec les pays d'outre-mer et de deux mois pour les autres relations, par l'intermédiaire des bureaux d'échange respectifs et en une liasse spéciale étiquetée "*Rebuts*," et portant l'indication du pays d'origine des correspondances. Les termes de deux mois et de six mois comptent à partir de la fin du mois dans lequel les correspondances sont parvenues au bureau de destination.

2. Toutefois, les correspondances recommandées tombées en rebut sont renvoyées au bureau d'échange du pays d'origine comme s'il s'agissait de correspondances recommandées à destination de ce pays, sauf qu'en regard de l'inscription nominative au Tableau No. 1 de la feuille d'avis ou sur la liste détachée, la mention "*Rebuts*" est consignée dans la colonne "*Observations*" par le bureau réexpéditeur.

3. Par exception, deux Offices correspondants peuvent, d'un commun accord, adopter un autre mode de renvoi de rebuts, ainsi que se dispenser de se renvoyer réciproquement certains imprimés considérés comme dénués de valeur.

4. Avant de renvoyer à l'Office d'origine les correspondances non distribuées pour un motif quelconque, l'Office destinataire doit indiquer d'une manière claire et concise, en langue Française, au verso de ces objets, la cause de la non-remise sous la forme suivante: inconnu, refusé, parti, non réclamé, décédé, &c. Cette indication est fournie par l'application d'un timbre ou l'apposition d'une étiquette. Chaque Office a la faculté d'ajouter la traduction, dans sa propre langue, de la cause de non-remise et les autres indications qui lui conviennent.

XXIII.—*Statistique des Frais de Transit.*

1. Les statistiques à effectuer une fois tous les trois ans, en exécution des Articles IV et XVII de la Convention, pour le décompte des frais de transit dans l'Union et en dehors des limites de l'Union, sont établies d'après les dispositions des Articles suivants, pendant les vingt-huit premiers jours du mois de Mai ou de Novembre (alternativement) de la deuxième année de chaque période triennale, pour sortir leurs effets rétroactivement à partir de la première année.

2. La statistique de Novembre 1893 s'appliquera aux années 1892, 1893, et 1894; la statistique de Mai 1896 s'appliquera aux années 1895, 1896, et 1897, et ainsi de suite.

3. Si, pendant la période d'application de la statistique, il vient à entrer dans l'Union un pays ayant des relations importantes, les pays de l'Union dont la situation pourrait, par suite de cette circonstance, se trouver modifiée sous le rapport du paiement des droits de transit, ont la faculté de réclamer une statistique spéciale se rapportant exclusivement au pays nouvellement entré.

4. Les frais incombant à l'Office expéditeur du chef du transit territorial et du transport maritime sont fixés invariablement d'après la statistique pour toute la période qu'elle embrasse, sauf le cas prévu à l'alinéa précédent.

Mais lorsqu'il se produit une modification importante dans le cours des correspondances, et pour autant que cette modification affecte une période de six mois au moins, les Offices intermédiaires s'entendent pour régler entre eux le partage de ces frais, proportionnellement à la part d'intervention des dits Offices dans le transport des correspondances auxquelles ces frais se rapportent.

XXIV.—*Correspondances à découvert.*

1. L'Office servant d'intermédiaire pour la transmission des correspondances échangées à découvert, soit entre deux pays de l'Union, soit entre un pays de l'Union et un pays étranger à celle-ci, dresse d'avance, pour chacun de ses correspondants de l'Union, un Tableau conforme au modèle (E) annexé au présent Règlement, et dans lequel il indique, en distinguant, s'il y a lieu les diverses voies d'acheminement, les prix de port au poids lui revenant pour le transport dans l'Union de l'une et de l'autre catégorie de ces correspondances au moyen des services dont il dispose, ainsi que les prix de port au poids à bonifier, le cas échéant, par lui-même, à d'autres Offices de l'Union, pour le transport ultérieure des dites correspondances dans l'Union. Au besoin, il se renseigne en temps

utile, auprès des Offices des pays à traverser, sur les voies que devront suivre les correspondances et sur le prix à leur appliquer.

2. Lorsque plusieurs voies comportant chacune des frais de transit différents applicables aux voies que l'Office intermédiaire utilise sont ouvertes à la transmission des correspondances pour un même pays, l'Office expéditeur rétribue l'Office intermédiaire d'après un tarif unique basé sur la moyenne des différents prix de transit.

3. Un exemplaire du Tableau (E) est remis par le dit Office à l'Office correspondant intéressé et sert de base à un décompte spécial à établir entre eux, du chef du port intermédiaire dans l'Union des correspondances dont il s'agit. Ce décompte est dressé par l'Office qui reçoit les correspondances et soumis à la vérification de l'Office expéditeur.

4. L'Office expéditeur établit, d'après les données de la formule (E) fournie par son correspondant, des Tableaux conformes au modèle (F) ci-annexé et destinés à relater, pour chaque dépêche, les frais de port intermédiaire des correspondances sans distinction d'origine, comprises dans la dépêche pour être acheminées par l'intermédiaire du dit correspondant. A cet effet, le bureau d'échange expéditeur inscrit dans un Tableau (F), qu'il joint à son envoi, le poids total, selon leur nature, des correspondances de l'espèce qu'il livre à découvert au bureau d'échange correspondant, et celui-ci, après vérification, prend livraison de ces correspondances, pour les acheminer vers leurs destinations, en les confondant avec les siennes propres pour le payement, s'il y a lieu, des prix de port ultérieurs.

Sur la demande des Offices intéressés, il y a lieu de distinguer sur le Tableau (F) l'origine des correspondances soumises à des frais de transit maritime de 15 fr. par kilog. de lettres ou cartes postales, et de 1 fr. per kilog. d'autres objets à répartir entre plusieurs Administrations.

5. Toute erreur dans la déclaration du bureau d'échange expéditeur du Tableau (F) est signalée immédiatement à ce bureau au moyen d'un bulletin de vérification, nonobstant la rectification opérée sur le Tableau lui-même.

6. A défaut de correspondances passibles d'un port intermédiaire ou étranger, il n'est pas dressé de Tableau (F), et le bureau expéditeur inscrit en tête de la feuille d'avis la mention, "Pas de Tableau (F)." Dans le cas de l'omission non justifiée de ce Tableau, l'irrégularité est également signalée, au moyen d'un bulletin de vérification, au bureau en faute, et doit être réparée immédiatement par ce dernier.

XXV.—*Dépêches closes.*

1. Les correspondances échangées en dépêches closes, entre deux Offices de l'Union ou entre un Office de l'Union et un Office étranger à l'Union, à travers le territoire ou au moyen des services d'un ou de plusieurs autres Offices, font l'objet d'un relevé conforme au modèle (G) annexé au présent Règlement, et qui est établi d'après les dispositions suivantes.

2. En ce qui concerne les dépêches d'un pays de l'Union pour un autre pays de l'Union, le bureau d'échange expéditeur inscrit, à la feuille d'avis pour le bureau d'échange destinataire de la dépêche, le poids net des lettres et des cartes postales, et celui des autres objets sans distinction de l'origine ni de la destination des correspondances. Ces indications sont vérifiées par le bureau destinataire, lequel dresse, à la fin de la période de statistique, le relevé mentionné ci-dessus, en autant d'expéditions qu'il y a d'Offices intéressés, y compris celui du lieu de départ.

3. Dans les quatre jours qui suivent la clôture des opérations de statistique, les relevés (G) sont transmis, par les bureaux d'échange qui les ont établis, aux bureaux d'échange de l'Office débiteur pour être revêtus de leur acceptation. Ceux-ci, après avoir accepté ces relevés, les transmettent à l'Administration centrale dont ils relèvent, chargée de les répartir entre les Offices intéressés.

4. En ce qui concerne les dépêches closes échangées entre un pays de l'Union et un pays étranger à l'Union, par l'intermédiaire d'un ou de plusieurs Offices de l'Union, les bureaux d'échange du pays de l'Union dressent, pour les dépêches expédiées ou reçues, un relevé (G) qu'ils transmettent à l'Office de sortie ou d'entrée, lequel établit, à la fin de la période de statistique, un relevé général en autant d'expéditions qu'il y a d'Offices intéressés, y compris lui-même et l'Office de l'Union débiteur. Une expédition de ce relevé est transmise à l'Office débiteur, ainsi qu'à chacun des Offices qui ont pris part au transport des dépêches.

Sur la demande des Offices intéressés, les bureaux d'échange doivent distinguer sur la feuille d'avis l'origine et la destination des correspondances soumises à des frais de transit maritime de 15 fr. et de 1 fr., à répartir entre plusieurs Administrations.

5. Après chaque période de statistique, les Administrations qui ont expédié des dépêches en transit envoient la liste de ces dépêches aux différentes Administrations dont elles ont emprunté l'intermédiaire.

6. Le simple entrepôt, dans un port, de dépêches closes apportées par un paquebot et destinées à être reprise par un autre paquebot,

ne donne pas lieu au paiement de frais de transit territorial au profit de l'Office des Postes du lieu d'entrepôt.

XXVI.—*Dépêches échangées avec des Bâtiments de Guerre.*

1. L'établissement d'un échange, en dépêches closes, entre un Office postale de l'Union et des divisions navales ou bâtiments de guerre de même nationalité, doit être notifié, autant que possible à l'avance, aux Offices intermédiaires.

2. La suscription de ces dépêches est rédigée comme suit :—

Du bureau de

Pour { la division navale [nationalité] de [désignation de la division] à
le bâtiment [nationalité] le [nom du bâtiment] à

ou

De la division navale [nationalité] de [désignation de la division] à

Du bâtiment [nationalité] le [nom du bâtiment] à

Pour le bureau de

(Pays.)

3. Les dépêches à destination ou provenant de divisions navales ou de bâtiments de guerre sont acheminées, sauf indication d'une voie spéciale sur l'adresse, par les voies les plus rapides et dans les mêmes conditions que les dépêches échangées entre bureaux de poste.

4. Si les bâtiments ne se trouvent pas au lieu de destination quand les dépêches à leur adresse y arrivent, ces dépêches sont conservées au bureau de poste, en attendant leur retrait par le destinataire ou leur réexpédition sur un autre point. La réexpédition peut être demandée, soit par l'Office postale d'origine, soit par le Commandant de la division navale ou du bâtiment destinataire, soit enfin par un Consul de même nationalité.

5. Celles des dépêches dont il s'agit qui portent la mention "Aux soins du Consul de _____," sont consignées au Consulat du pays d'origine. Elles peuvent être ultérieurement, à la demande du Consul, réintégrées dans le service postal et réexpédiées sur le lieu d'origine ou sur un autre* destination.

6. Les dépêches à destination d'un bâtiment de guerre sont considérées comme étant en transit jusqu'à leur remise au Commandant de ce bâtiment de guerre, alors même qu'elles auraient été primitivement adressées aux soins d'un bureau de poste ou à un Consul chargé de servir d'agent de transport intermédiaire; elles ne sont donc pas considérées comme étant parvenues à leur

* Dans le texte signé ce mot "autre" a été omis par erreur.

adresse, tant qu'elles n'auront pas été délivrées au bâtiment de guerre respectif.

7. Il incombe à l'Administration du pays dont les bâtiments de guerre relèvent de dresser le Tableau (G) pour les dépêches échangées. Ces dépêches doivent, pendant la période de statistique, porter sur des étiquettes les indications suivantes :—

- (a.) Le poids net des lettres et cartes postales ;
- (b.) Le poids net des autres objets ; et
- (c.) La route suivie ou à suivre.

Dans le cas où une dépêche à l'adresse d'un bâtiment de guerre est réexpédiée pendant la période de statistique, l'Office réexpéditeur en informe l'Office du pays dont le bâtiment relève.

XXVII.—*Compte des Frais de Transit.*

1. Les Tableaux (F) et (G) sont resumés dans un compte particulier par lequel on établit, en francs et centimes, le prix annuel de transit revenant à chaque Office, en multipliant les totaux par 13. Dans le cas où le multiplicateur ne se rapporte pas à la périodicité du service, ou lorsqu'il s'agit d'expéditions extraordinaires faites pendant la période statistique, les Administrations intéressées s'entendent pour l'adoption d'un autre multiplicateur. Le soin d'établir ce compte incombe à l'Office créateur, qui le transmet à l'Office débiteur. Le multiplicateur admis fait chaque fois règle pour les trois années d'une même période de statistique.

2. Le solde résultant de la balance des comptes réciproques entre deux Offices est payé par l'Office débiteur à l'Office créateur, en francs effectifs et au moyen de traites tirées sur une place du pays créateur au gré de l'Office débiteur. Les frais du paiement, y compris les frais d'escompte, restent, le cas échéant, à la charge de l'Office débiteur.

3. L'établissement, l'envoi, et le paiement des comptes des frais de transit afférents à un exercice doivent être effectués dans le plus bref délai possible, et, au plus tard, avant l'expiration du premier semestre de l'exercice suivant. En tout cas, si l'Office qui a envoyé le compte n'a reçu dans cet intervalle aucune observation rectificative, ce compte est considéré comme admis de plein droit. Cette disposition s'applique également aux observations non contestées faites par un Office sur les comptes présentées par un autre Office. Passé ce délai de six mois, les sommes dues par un Office à un autre Office sont productives d'intérêts, à raison de 5 pour cent l'an, et à dater du jour d'expiration du dit délai.

Les paiements des frais de transit pour la première et au besoin pour la seconde année de chaque période triennale s'effectuent

provisoirement, à la fin de l'année, sur les bases de la statistique précédente, sauf règlement ultérieur des comptes d'après les résultats de la statistique nouvelle.

4. Est réservée, toutefois, aux Offices intéressés la faculté de prendre d'un commun accord d'autres dispositions que celles qui sont formulées dans le présent Article.

XXVIII.—*Exceptions en matière de Poids.*

Il est admis, par mesure d'exception, que les États qui, à cause de leur régime intérieur, ne peuvent adopter le type de poids décimal métrique, ont la faculté d'y substituer l'once avoirdupois (28·3465 grammes), en assimilant une demi-once à 15 grammes, et deux onces à 50 grammes, et d'élever, au besoin, la limite du port simple des journaux à quatre onces, mais sous la condition expresse que, dans ce dernier cas, le port des journaux ne soit pas inférieur

10 centimes, et qu'il soit perçu un port entier par numéro de journal, alors même que plusieurs journaux se trouveraient groupés dans un même envoi.

XXIX.—*Réclamation d'objets ordinaires non parvenus.*

1. Toute réclamation relative à un objet de correspondance ordinaire non parvenu à destination donne lieu au procédé suivant :—

(1.) Il est remis au réclamant une formule conforme au modèle (H) ci-annexé, avec prière d'en remplir, aussi exactement que possible, la partie qui la concerne.

(2.) Le bureau où la réclamation s'est produite transmet la formule directement au bureau correspondant. La transmission s'effectue d'Office et sans aucun écrit.

(3.) Le bureau correspondant fait présenter la formule au destinataire ou à l'expéditeur, selon le cas, avec prière de fournir des renseignements à ce sujet.

(4.) Munie de ces renseignements, la formule est renvoyée d'Office au bureau qui l'a dressée.

(5.) Dans le cas où la réclamation est reconnue fondée, elle est transmise à l'Administration centrale pour servir de base aux investigations ultérieures.

(6.) A moins d'entente contraire, la formule est rédigée en Français ou porte une traduction Française.

2. Toute Administration peut exiger, par une notification adressée au Bureau International, que l'échange des réclamations, en ce qui la concerne, soit effectué par l'entremise des Administrations centrales, ou par l'intermédiaire d'un bureau spécialement désigné.

XXX.—*Retrait de Correspondances et Rectification d'Adresses.*

1. Pour les demandes de renvoi ou de réexpédition de correspondances, ainsi que pour les demandes de rectification d'adresses, l'expéditeur doit faire usage d'une formule conforme au modèle (I) annexé au présent Règlement. En remettant cette réclamation au bureau de poste, l'expéditeur doit y justifier de son identité et produire, s'il y a lieu, le bulletin du dépôt. Après la justification, dont l'Administration du pays d'origine assume la responsabilité, il est procédé de la manière suivante :—

(1.) Si la demande est destinée à être transmise par voie postale, la formule, accompagnée d'un fac-similé parfait de l'enveloppe ou suscription de l'envoi, est expédiée directement, sous pli recommandé, au bureau de poste destinataire.

(2.) Si la demande doit être faite par voie télégraphique, la formule est déposée au service télégraphique chargé d'en transmettre les termes au bureau de poste destinataire.

2. A la réception de la formule (I) ou du télégramme en tenant lieu, le bureau de poste destinataire recherche la correspondance signalée et donne à la demande la suite nécessaire.

Toutefois s'il s'agit d'un changement d'adresse demandé par voie télégraphique, le bureau destinataire se borne à retenir la lettre et attend, pour faire droit à la demande, l'arrivée du fac-similé nécessaire.

Si la recherche est infructueuse, si l'objet a déjà été remis au destinataire, ou si la demande par voie télégraphique n'est pas assez explicite pour permettre de reconnaître sûrement l'objet de correspondance indiqué, le fait est signalé immédiatement au bureau d'origine, qui en prévient le réclamant.

3. A moins d'entente contraire, la formule (I) est rédigée en Français ou porte une traduction sublinéaire en cette langue, et, dans le cas d'emploi de la voie télégraphique, le télégramme est formulé en langue Française.

4. Une simple correction d'adresse (sans modification du nom ou de la qualité du destinataire) peut aussi être demandée directement au bureau destinataire, c'est-à-dire, sans l'accomplissement des formalités prescrites pour le changement d'adresse proprement dit.

5. Toute Administration peut exiger, par une notification adressée au Bureau International, que l'échange des réclamations, en ce qui la concerne, soit effectué par l'entremise des Administrations centrales ou d'un bureau spécialement désigné.

Dans le cas où l'échange des réclamations s'effectue par l'entremise des Administrations centrales, il doit être tenu compte des demandes expédiées directement par les bureaux d'origine aux

bureaux de destination, dans ce sens que les correspondances y relatives sont exclues de la distribution jusqu'à l'arrivée de la réclamation de l'Administration centrale.

Les Administrations qui usent de la faculté prévue par le premier alinéa du présent paragraphe prennent à leur charge les frais que peut entraîner la transmission, dans leur service intérieur, par voie postale ou télégraphique, des communications à échanger avec le bureau destinataire.

XXXI.—Emploi, pour l'affranchissement, de Timbres-postes présumés frauduleux.

1. Sous réserve des dispositions que comporte la législation de chaque pays, même dans les cas où cette réserve n'est pas expressément stipulée dans les dispositions du présent Article, le procédé ci-après est suivi pour la constatation de l'emploi, pour l'affranchissement, de timbres-poste frauduleux :—

(a.) Lorsque la présence, sur un envoi quelconque, d'un timbre-poste frauduleux (contrefait ou ayant déjà servi) est constatée au départ, par un Office dont la législation particulière n'exige pas la saisie immédiate de l'envoi, la figurine n'est altérée d'aucune façon, et l'envoi, inséré dans une enveloppe à l'adresse du bureau destinataire, est acheminé sous recommandation d'Office.

(b.) Cette formalité est notifiée, sans délai, aux Administrations des pays d'origine et de destination, au moyen d'un avis conforme au modèle (K) annexé au présent Règlement. Un exemplaire de cet avis est, en outre, transmis au bureau de destination dans l'enveloppe qui renferme l'objet revêtu du timbre-poste réputé frauduleux.

(c.) Le destinataire est convoqué pour constater la contravention.

La remise de l'envoi n'a lieu que dans le cas où le destinataire ou son fondé de pouvoirs consent à faire connaître le nom et l'adresse de l'expéditeur, et à mettre à la disposition de la poste, après avoir pris connaissance du contenu, l'objet entier s'il est inséparable du corps du Jélit ou bien la partie de l'objet (enveloppe, bande, portion de lettre, &c.), qui contient la suscription et le timbre signalé comme frauduleux.

(d.) Le résultat de la convocation est constaté par un procès-verbal conforme au modèle (L) annexé au présent Règlement, et où il est fait mention des incidents survenus, tels que non-comparution, refus de recevoir l'envoi, de l'ouvrir ou d'en faire connaître l'expéditeur, &c. Ce document est signé par l'Agent des Postes et par le destinataire de l'envoi ou son fondé de pouvoirs ;

si ce dernier refuse de signer, le refus est constaté aux lieu et place de la signature.

Le procès-verbal est transmis, avec pièces à l'appui et par l'intermédiaire de l'Administration du pays de destination, à l'Administration des Postes du pays d'origine, qui, à l'aide de ces documents, fait poursuivre, s'il y a lieu, la répression de l'infraction d'après sa législation intérieure.

XXXII.—*Répartition des Frais du Bureau International.*

1. Les frais communs du Bureau International ne doivent pas dépasser, par année, la somme de 125,000 fr., non compris les frais spéciaux auxquels donne lieu la réunion d'un Congrès ou d'une Conférence.

2. L'Administration des Postes Suisses surveille les dépenses du Bureau International, fait les avances nécessaires et établit le compte annuel, qui est communiqué à toutes les autres Administrations.

3. Pour la répartition des frais, les pays de l'Union sont divisés en sept classes, contribuant chacune dans la proportion d'un certain nombre d'unités, savoir :—

1 ^{re} classe	..	..	..	..	..	25 unités.
2 ^e	„	..	..	..	..	20 „
3 ^e	„	..	..	..	..	15 „
4 ^e	„	..	..	..	..	10 „
5 ^e	„	..	..	..	..	5 „
6 ^e	„	..	..	..	..	3 „
7 ^e	„	..	..	..	..	1 unité.

4. Ces coefficients sont multipliés par le nombre des pays de chaque classe, et la somme des produits ainsi obtenu fournit le nombre d'unités par lequel la dépense totale doit être divisée. Le quotient donne le montant de l'unité de dépense.

5. Les pays de l'Union sont classés ainsi qu'il suit, en vue de la répartition des frais :—

1^{re} classe : Allemagne, Autriche-Hongrie, États-Unis d'Amérique, France, Grande-Bretagne, Inde Britannique, Colonies Britanniques de l'Australasie, ensemble des autres Colonies et Protectorats Britanniques moins le Canada, Italie, Russie, Turquie ;

2^e classe : Espagne ;

3^e classe : Belgique, Brésil, Canada, Égypte, Japon, Pays-Bas, Roumanie, Suède, Colonies ou Provinces Espagnoles d'outre-mer, Colonies Françaises, Indes Orientales Néerlandaises ;

4^e classe : Danemark, Norvège, Portugal, Suisse, Colonies Portugaises ;

5^e classe : Argentine (République), Bulgarie, Chili, Colombie, Grèce, Mexique, Pérou, Serbie, Tunisie ;

6^e classe : Bolivie, Costa - Rica, République Dominicaine, Équateur, Guatemala, Haïti, République du Honduras, Luxembourg, Nicaragua, Paraguay, Perse, Protectorats Allemands, Salvador, Royaume de Siam, Uruguay, Venezuela, Colonies Danoises, Colonie de Curaçao (ou Antilles Néerlandaises), Colonie de Surinam (ou Guyane Néerlandaise) ;

7^e classe : État Indépendant du Congo, Hawaï, Libéria, Monténégro.

XXXIII.—*Communications à adresser au Bureau International.*

1. Le Bureau International sert d'intermédiaire aux notifications régulières et générales qui intéressent les relations internationales.

2. Les Administrations faisant partie de l'Union doivent se communiquer, notamment, par l'intermédiaire du Bureau International :—

(1.) L'indication des surtaxes qu'elles perçoivent, par application de l'Article V de la Convention, en plus de la taxe de l'Union, soit pour port maritime, soit pour frais de transport extraordinaire, ainsi que la nomenclature des pays par rapport auxquels ces surtaxes sont perçues, et, s'il y a lieu, la désignation des voies qui en motivent la perception ;

(2.) La collection en cinq exemplaires de leurs timbres-poste ;

(3.) L'avis si elles entendent user de la faculté qui est laissée aux Administrations d'appliquer ou de ne pas appliquer certaines dispositions générales de la Convention et du présent Règlement.

3. Toute modification apportée ultérieurement, à l'égard de l'un ou l'autre des trois points ci-dessus mentionnés, doit être notifiée sans retard de la même manière.

4. Le Bureau International reçoit également de toutes les Administrations de l'Union deux exemplaires de tous les documents qu'elles publient, tant sur le service intérieur que sur le service international.

5. Les correspondances adressées par les Administrations de l'Union au Bureau International et *vice versa* sont assimilées, pour la franchise de port, aux correspondances échangées entre les Administrations.

XXXIV.—*Statistique Générale.*

1. Chaque Administration fait parvenir, à la fin du mois de Juillet de chaque année, au Bureau International, une série aussi

complète que possible de renseignements statistiques se rapportant à l'année précédente, sous forme de Tableaux conformes ou analogues aux modèles ci-annexés (M) et (N).

2. Les opérations de service qui donnent lieu à l'enregistrement font l'objet de relevés périodiques, d'après les écritures effectuées.

3. Pour toutes les autres opérations il est procédé à un dénombrement, pendant une semaine au moins pour les échanges quotidiens, et pendant quatre semaines pour les échanges non quotidiens, avec faculté pour chaque Administration de faire un dénombrement séparé pour chaque catégorie de correspondances.

4. Est réservé à chaque Administration le droit de procéder à ce dénombrement aux époques qui se rapprochent le plus de la moyenne de son trafic postal.

5. Le Bureau International est chargé de faire imprimer et de distribuer les formules de statistique à remplir par chaque Administration. Il est chargé, en outre, de fournir aux Administrations qui en feront la demande toutes les indications nécessaires sur les règles à suivre pour assurer, autant que possible, l'uniformité des opérations de statistique.

XXXV.—*Attributions du Bureau International.*

1. Le Bureau International dresse une statistique générale pour chaque année.

2. Il rédige, à l'aide des documents qui sont mis à sa disposition, un journal spécial en langues Allemande, Anglaise, et Française.

3. Tous les documents publiés par le Bureau International sont distribués aux Administrations de l'Union, dans la proportion du nombre d'unités contributives assignées à chacune d'elles par l'Article XXXII précédent.

4. Les exemplaires et documents supplémentaires qui seraient réclamés par ces Administrations sont payés à part, d'après leur prix de revient.

5. Le Bureau International doit, d'ailleurs, se tenir en tout temps à la disposition des membres de l'Union, pour leur fournir, sur les questions relatives au Service International des Postes, les renseignements spéciaux dont ils pourraient avoir besoin.

6. Le Bureau International instruit les demandes de modification ou d'interprétation des dispositions qui régissent l'Union. Il notifie les résultats de chaque instruction, et toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

7. Le Bureau International opère la balance et la liquidation des décomptes de toute nature entre les Administrations de l'Union qui

déclarept vouloir emprunter l'intermédiaire de ce Bureau dans les conditions déterminées par l'Article XXXVI ci-après.

8. Le Bureau International prépare les travaux des Congrès ou Conférences. Il pourvoit aux copies et impressions nécessaires, à la rédaction et à la distribution des amendements, procès-verbaux, et autres renseignements.

9. Le Directeur de ce Bureau assiste aux séances des Congrès ou Conférences et prend part aux discussions sans voix délibérative.

10. Il fait sur sa gestion un rapport annuel qui est communiqué à toutes les Administrations de l'Union.

11. La langue officielle du Bureau International est la langue Française.

12. Le Bureau International est chargé de publier un dictionnaire alphabétique de tous les bureaux de poste du monde, avec une mention spéciale pour ceux de ces bureaux chargés de services qui ne sont pas encore généralisés. Ce dictionnaire est tenu au courant au moyen de suppléments ou de toute autre manière que le Bureau International jugera convenable.

Le dictionnaire mentionné au présent paragraphe est livré au prix de revient aux Administrations qui en font la demande.

XXXVI.—*Office Central de Comptabilité et de Liquidation des Comptes entre les Administrations de l'Union.*

1. Le Bureau International de l'Union Postale Universelle est chargé d'opérer la balance et la liquidation des décomptes de toute nature relatifs au service international des postes entre les Administrations des pays de l'Union qui ont le franc pour unité monétaire, ou qui se sont mis d'accord sur le taux de conversion de leur monnaie en francs et centimes métalliques.

Les Administrations qui ont l'intention de réclamer, pour ce service de liquidation, le concours du Bureau International, se concertent, à cet effet, entre elles et avec ce Bureau.

Malgré son adhésion, chaque Administration conserve le droit d'établir à son choix des décomptes spéciaux pour diverses branches du service et d'en opérer à sa convenance le règlement avec ses correspondants, sans employer l'intermédiaire du Bureau International, auquel, à teneur de l'alinéa qui précède, elle se borne à indiquer pour quelles branches de service et pour quels pays elle réclame ses offices.

Sur la demande des Administrations intéressées, les décomptes télégraphiques peuvent aussi être indiqués au Bureau International pour entrer dans la compensation des soldes.

Les Administrations qui auront emprunté l'intermédiaire du Bureau International pour la balance et la liquidation des dé-

comptes peuvent cesser d'user de cet intermédiaire trois mois après qu'ils en auront averti le dit Bureau.

2. Après avoir débattu et arrêté leurs comptes, les Administrations se font parvenir réciproquement une reconnaissance de leur doit, établi en francs et centimes, en y constatant l'objet, la période et le résultat du décompte.

3. Chaque Administration adresse mensuellement, au Bureau International, un Tableau indiquant son avoir du chef des décomptes particuliers, ainsi que le total des sommes dont elle est créditrice envers chacune des Administrations Contractantes; chaque créance figurant dans ce Tableau doit être justifiée par une reconnaissance de l'Office débiteur.

Ce Tableau doit parvenir au Bureau International le 19 de chaque mois au plus tard, sous peine de n'être compris que dans la liquidation du mois suivant.

4. Le Bureau International constate, en rapprochant les reconnaissances, si les Tableaux sont exacts. Toute rectification nécessaire est notifiée aux Offices intéressés.

Le doit de chaque Administration envers une autre est reporté dans un Tableau récapitulatif; afin d'établir le total dont chaque Administration est débitrice, il suffit d'additionner les diverses colonnes de ce Tableau récapitulatif.

5. Le Bureau International réunit les Tableaux et les récapitulations en une balance générale indiquant—

- (a.) Le total du doit et de l'avoir de chaque Administration;
- (b.) Le solde débiteur ou le solde créditeur de chaque Administration, représentant la différence entre le total du doit et le total de l'avoir;
- (c.) Les sommes à payer par une partie des membres de l'Union à une Administration, ou réciproquement les sommes à payer par cette dernière à l'autre partie.

Les totaux des deux catégories de soldes sous (a) et (b) doivent nécessairement être égaux.

On pourvoira autant que possible à ce que chaque Administration n'ait à effectuer, pour se libérer, qu'un ou deux paiements distincts.

Toutefois, l'Administration qui se trouve habituellement à découvert vis-à-vis d'une autre Administration pour une somme supérieure à 500,000 fr. a le droit de réclamer des acomptes.

Ces acomptes sont inscrits, tant par l'Administration créditrice que par l'Administration débitrice, au bas des Tableaux à adresser au Bureau International (voir § 3).

6. Les reconnaissances (voir § 3) transmises au Bureau International avec les Tableaux sont classées par Administration.

Elles servent de base pour l'établissement de la liquidation de

chacune des Administrations intéressées. Dans cette liquidation doivent figurer—

(a.) Les sommes afférentes aux décomptes spéciaux portant sur les divers échanges ;

(b.) Le total des sommes résultant de tous les décomptes spéciaux par rapport à chacune des Administrations intéressées ;

(c.) Les totaux des sommes dues à toutes les Administrations créditrices pour chaque branche du service, ainsi que leur total général.

Ce total doit être égal au total du doit qui figurer dans la récapitulation.

Au bas de la liquidation, la balance est établie entre le total du doit et le total de l'avoir résultant des Tableaux adressés par les Administrations au Bureau International (voir § 3). Le montant net du doit ou de l'avoir doit être égal au solde débiteur ou au solde créditeur porté dans la balance générale. En outre, la liquidation statue sur le mode de liquidation, c'est-à-dire, qu'elle indique les Administrations en faveur desquelles le paiement doit être effectué par l'Administration débitrice.

Les liquidations doivent être transmises aux Administrations intéressées par le Bureau International, au plus tard le 22 de chaque mois.

7. Les soldes débiteurs ou créditeurs n'excédant pas 500 fr. peuvent être reportés à la liquidation du mois suivant, à la condition toutefois que les Administrations intéressées soient en rapport mensuel avec le Bureau International. Il est fait mention de ce report dans les récapitulations et dans les liquidations pour les Administrations créditrices et débitrices. L'Administration débitrice fait parvenir, le cas échéant, à l'Administration créditrice une reconnaissance de la somme due, pour être portée au prochain Tableau.

XXXVII.—*Langue.*

1. Les feuilles d'avis, Tableaux, relevés, et autres formules à l'usage des Administrations de l'Union pour leurs relations réciproques doivent, en règle générale, être rédigés en langue Française, à moins que les Administrations intéressées n'en disposent autrement par une entente directe.

2. En ce qui concerne la correspondance de service, l'état de choses actuel est maintenu, sauf autre arrangement à intervenir ultérieurement et d'un commun accord entre les Administrations intéressées.

XXXVIII.—*Ressort de l'Union.*

Sont considérés comme appartenant à l'Union Postale Universelle:—

(1.) Les bureaux de poste Allemands établis à Apia (Iles Samoa) et à Shang-Haï (Chine) comme relevant de l'Administration des Postes d'Allemagne;

(2.) La Principauté de Liechtenstein, comme relevant de l'Administration des Postes d'Autriche;

(3.) L'Islande et les Iles Féroë, comme faisant partie du Danemark;

(4.) Les possessions Espagnoles de la Côte Septentrionale d'Afrique, comme faisant partie de l'Espagne; la République du Val d'Andorre, les établissements de poste de l'Espagne sur la côte occidentale du Maroc, comme relevant de l'Administration des Postes Espagnoles;

(5.) L'Algérie, comme faisant partie de la France; la Principauté de Monaco et les bureaux de poste Français établis à Tanger (Maroc), à Shang-Haï (Chine), et à Zanzibar, comme relevant de l'Administration des Postes de France; le Cambodge, l'Annam, et le Tonkin, comme assimilés, quant au service postal, à la Colonie Française de Cochinchine;

(6.) Les agences postales que l'Administration des Postes de Gibraltar entretient à Tanger, Larache, Rabat, Casablanca, Saffi, Mazagan, et Mogador (Maroc);

(7.) Les bureaux de poste que l'Administration de la Colonie Anglaise de Hong Kong entretient à Hoïhow (Kiung-Schow), Canton, Swatow, Amoy, Foo-Chow, Niugpo, Shang-Haï, et Hankow (Chine);

(8.) Les établissements de poste Indiens d'Aden, de Zanzibar, de Mascate, du Golfe Persique, et de Guadur, comme relevant de l'Administration des Postes de l'Inde Britannique;

(9.) La République de Saint-Marin, et les bureaux Italiens de Tunis et de Tripoli de Barbarie, comme relevant de l'Administration des Postes d'Italie;

(10.) Les bureaux de poste que l'Administration Japonaise a établis à Shang-Haï (Chine), à Fusanpo, à Genzanshin, et à Jinsen (Corée);

(11.) Le Grand-Duché de Finlande, comme faisant partie intégrante de l'Empire de Russie.

XXXIX.—*Propositions faites dans l'intervalle des Réunions.*

1. Dans l'intervalle qui s'écoule entre les réunions, toute Administration des Postes d'un pays de l'Union a le droit d'adresser

aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant les dispositions du présent Règlement.

2. Toute proposition est soumise au procédé suivant :—

Un délai de cinq mois est laissé aux Administrations de l'Union pour examiner les propositions et pour faire parvenir au Bureau International, le cas échéant, leurs observations, amendements, ou contre-propositions. Les réponses sont réunies par les soins du Bureau International et communiquées aux Administrations avec l'invitation de se prononcer. Les Administrations qui n'ont point fait parvenir leur vote dans un délai de six mois, à compter de la date de la seconde circulaire du Bureau International leur notifiant les observations apportées, sont considérées comme s'abstenant.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles III, IV, V, XII, XXVII, XXX, XXXI, et XL ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions des Articles I, II, VIII, IX, XI, XIV, XV, XVI, XVIII, XIX, XX, XXI, XXIII, XXIV, XXV, XXVI, XXVIII, XXXIV, XXXVI, XXXVII, et XXXVIII ;

(3.) La simple majorité absolue, s'il s'agit, soit de la modification des dispositions autres que celles indiquées ci-dessus, soit de l'interprétation des diverses dispositions du Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention.

4. Les résolutions valables sont consacrées par une simple notification du Bureau International à toutes les Administrations de l'Union.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XL.—*Durée du Règlement.*

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de la Convention du 4 Juillet, 1891. Il aura la même durée que cette Convention, à moins qu'il ne soit renouvelé d'un commun accord entre les parties intéressées.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne et les Pro-

tectorats Allemands DE. V. STEPHAN.
SACHSE.
FRITSCH.

Pour les États-Unis d'Amérique	N. M. BROOKS.
	WILLIAM POTTER.
Pour la République Argentine	CARLOS CALVO.
Pour l'Autriche	OBENTRAUT.
	DR. HOFMANN.
	DR. LILIENAU.
	HABBERGER.
Pour la Hongrie	P. HEIM.
	S. SCHRIMPF.
Pour la Belgique	LICHTERVELDE.
Pour la Bolivie	
Pour le Brésil	LUIZ BETIM PAES LEME.
Pour la Bulgarie	P. M. MATTHEEFF.
Pour le Chili	
Pour la République de Colombie	G. MICHELSEN.
Pour l'État Indépendant du	
Congo	STASSIN.
	LICHTERVELDE.
	GABANT.
	DE CRAENE.
Pour la République de Costa-	
Rica	
Pour le Danemark et les Co-	
lonies Danoises	LUND.
Pour la République Dominicaine	
Pour l'Égypte	Y. SABA.
Pour l'Équateur	
Pour l'Espagne et les Colonies	
Espagnoles	FEDERICO BAS.
Pour la France	MONTMARIN.
	J. DE SELVES.
	ANSAULT.
Pour les Colonies Françaises ..	G. GABRIÉ.
Pour la Grande-Bretagne et di-	
verses Colonies Britanniques .	S. A. BLACKWOOD.
	H. BUXTON FORMAN.
Pour les Colonies Britanniques	
d'Australasie	
Pour le Canada	A. B. PAGET.*
Pour l'Inde Britannique	H. M. KISCH.
Pour la Grèce	J. GEORGANTAS.
Pour la Guatemala	DR. GOTTHELF MEYER.

* Signature apposée, le 24 Août, 1891, par son Excellence M. l'Ambassadeur de Sa Majesté Britannique à Vienne.

Pour la République d'Haiti ..	..	..	..
Pour le Royaume d'Hawaï ..	..	..	..	EUGÈNE BOBEL.
Pour la République du Honduras ..	..	..	..
Pour l'Italie ..	..	..	..	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour le Japon ..	..	..	..	INDO. FUJITA.
Pour la République de Libéria .				BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg ..	..	..	..	MONGENAST.
Pour le Mexique ..	..	..	..	L. BRETÓN Y VEDRA.
Pour le Monténégro ..	..	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour le Nicaragua ..	..	..	..
Pour la Norvège..	..	..	..	THB. HEYERDAHL.
Pour le Paraguay ..	..	..	..
Pour les Pays-Bas ..	..	..	..	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises				JOHS. J. PERK.
Pour le Pérou ..	..	..	..	D. C. URREA.
Pour la Perse ..	..	..	..	GÉNÉRAL N. SEMINO.
Pour le Portugal et les Colonies Portugaises ..	..	..	..	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie ..	..	..	..	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour la Russie ..	..	..	..	GÉNÉRAL DE BESACK. A. SKALKOVSKY.
Pour le Salvador ..	..	..	..	LOUIS KEHLMANN.
Pour la Serbie ..	..	..	..	SVETOZAR J. GVOZDITCH. ET. W. POPOVITCH.
Pour le Royaume de Siam ..	..	..	..	LUANG SUBIYA NUVATR. H. KEUCHENIUS.
Pour la République Sud-Afri- caine ..	..	..	..
Pour la Suède ..	..	..	..	E. VON KRUSENSTJERNA
Pour la Suisse ..	..	..	..	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	..	..	..	MONTMARIN.
Pour la Turquie..	..	..	..	E. PETACCI. A. FAHRI.

Pour l'Uruguay FEDERICO SUSVIELA
 GUARCH.
 JOSÉ G. BUSTO.
 Pour les États-Unis de Vene-
 zuela CARLOS MATZENAÜER.

*AGREEMENT between Austria-Hungary and Germany, for
 the Mutual Relief of Distressed Seamen.—Signed at Vienna.
 November 10, 1889.*

(Translation.)

WITH the object of making arrangements for the relief, in certain cases, of distressed seamen of the Austro-Hungarian Monarchy and of the German Empire, the Undersigned, viz.:

His Excellency the Minister for Foreign Affairs of His Imperial and Royal Apostolic Majesty; and

His Highness the Ambassador Extraordinary and Plenipotentiary of His Majesty the German Emperor, King of Prussia, duly authorized to that effect, have agreed as follows:—

If a seaman of one of the Contracting Parties, after having served on board a ship belonging to the other Contracting Party, finds himself, in consequence of shipwreck, or from other causes, in a condition of distress in the territory of a third Power, or in its Colonies, or in the territory or Colonies of the Contracting Party whose flag the ship carries, the latter shall be bound to afford assistance to the said seaman until he embarks afresh, or finds other employment, or until he arrives in his own country, or dies.

It is, however, understood that the seaman so situated shall take the first opportunity which presents itself to prove before the competent authorities of the Contracting Party of whom the necessary assistance is required his necessitous condition, and the causes which led to it, as also that his destitution is the natural consequence of his termination of service on board the ship; otherwise, there shall be no liability to afford relief.

The said liability also lapses if the seaman has deserted or has been turned out of the ship for any crime or offence, or has left the same in consequence of incapacity for service caused by illness or wounds resulting from his own fault.

The relief shall include maintenance, clothing, medical attendance, medicines, and travelling expenses, and, in case of death, the burial expenses shall be paid.

The present Agreement shall come into operation in Austria-

Hungary and in Germany on the same day,* after having been approved by the Austrian and Hungarian Legislative Bodies and sanctioned by His Imperial and Royal Apostolic Majesty, and shall remain in force until one or other of the Contracting Parties shall announce, one year in advance, its intention to terminate it.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto their seals.

Done at Vienna, the 10th November, 1889.

(L.S.) KÁLNOKY.

(L.S.) H. VII REUSS.

DÉCRET du Khédivé d'Égypte, relatif à la Conversion de la Dette Générale de la Daïra Sanieh.—Alexandrie, le 5 Juillet, 1890.

Nous, Khédivé d'Égypte,

Vu notre Décret du 6 Juin, 1890;†

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Avons décrété et décrétons :

ART. 1^{er}. Le capital de la Dette Générale de la Daïra Sanieh est fixé à 7,299,360^l.

Les nouveaux titres de la Dette Générale de la Daïra Sanieh porteront intérêt à raison de 4 pour cent l'an, jouissance du 15 Octobre, 1890.

2. Les porteurs de titres actuels de la Dette Générale de la Daïra Sanieh qui demanderont le remboursement de leurs titres seront remboursés en espèces au taux de 85 pour cent, conformément à l'Article 1^{er} de notre Décret du 6 Juin, 1890.

Ils devront présenter leurs titres dans un délai de dix jours à partir du 18 Juillet, 1890 :—

A Paris, à la Banque de Paris et des Pays-Bas ;

A Londres, chez MM. Stern, Frères ;

A Berlin, chez MM. Robert Warschauer et Cie. ;

A Francfort-sur-le-Mein, chez MM. Jacob S. H. Stern ;

En Égypte, chez MM. Suarès, Frères, et Cie.

Les titres présentés au remboursement devront être munis de tous leurs coupons non échus.

Ces titres seront remboursés à une date dont il sera donné avis

* The Agreement came into operation on the 1st July, 1890.

† Vol. LXXII, page 1006.

par une publication des maisons contractantes et qui ne pourra être antérieure au 1^{er} Août ni postérieure au 15 Octobre, 1890.

Le remboursement comprendra le paiement du capital des titres à raison de 85 pour cent de leur valeur nominale, ainsi que le paiement des intérêts courus du 15 Avril, 1890, jusqu'au jour fixé pour le remboursement à raison de 4 pour cent sur la valeur nominale.

Le paiement du capital et des intérêts sera effectué à Paris au change fixe de 25 fr. par livre sterling, et en Allemagne en marks au taux du change calculé à la parité de 25 fr. par livre sterling.

Le montant des coupons non échus dont ne seraient pas munis les titres présentés au remboursement sera déduit du capital à rembourser.

3. Tous les titres de la Dette Générale Daïra Sanieh qui, à l'expiration du délai fixé à l'Article 2 du présent Décret, n'auront pas été présentés au remboursement, seront, à cette date, conformément à l'Article 13 de notre Décret du 6 Juin, 1890, convertis de plein droit en nouveaux titres de la Dette Générale de la Daïra Sanieh, à raison de 85 pour cent de leur capital nominal.

Les titres qui n'auront pas été présentés au remboursement devront, à partir du 15 Octobre, 1890, être déposés, munis de tous leurs coupons non échus, aux maisons et établissements financiers désignés à l'Article 2 du présent Décret.

Après vérification de ces titres, les porteurs recevront, en échange, des titres nouveaux sur la base de 85 pour cent de la valeur nominale de leurs anciens titres.

Les porteurs auront à payer en espèces le montant de tous les coupons non échus manquant sur les titres présentés.

Les fractions de capital des titres convertis ne comportant pas la remise d'un nouveau titre minimum de 20^{l.} seront remboursées en espèces par les contractants.

4. Une souscription publique, contre espèces, aux obligations de la Dette Générale Daïra Sanieh, sera ouverte le 18 Juillet, 1890, à Paris, Londres, Berlin, Francfort-sur-le-Mein, et en Égypte, dans les conditions qui seront publiées par les maisons contractantes.

Il sera délivré aux souscripteurs des certificats provisoires, qui seront échangés contre des titres définitifs à partir du 15 Octobre, 1890.

5. Le coupon du 15 Octobre, 1890, des titres qui n'auront pas été présentés au remboursement dans le délai fixé à l'Article 2 du présent Décret, sera payé au taux de 4 pour cent sur le capital nominal des anciens titres, du 15 Avril jusqu'au 8 Août, 1890, et au taux de 4 pour cent sur le capital des nouveaux titres, depuis cette dernière date jusqu'au 15 Octobre, 1890.

6. Le paiement des intérêts des nouveaux titres de la Dette Générale de la Daïra Sanieh, ainsi que le paiement du capital des

titres amortis en conformité des Articles 7, 8, et 10 de notre Décret du 6 Juin, 1890, sera effectué comme pour les anciens titres au change fixe de 25 fr. par livre sterling.

7. Les titres de la Dette Générale de la Daïra Sanieh, remboursés ou convertis, seront annulés et mis à la disposition de l'Administration de la Daïra Sanieh au plus tard le 31 Décembre, 1890.

8. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 5 Juillet, 1890 (18 Zilkadé, 1307).

MÉHÉMET THEWFIK

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

DÉCRET du Khédive d'Égypte, fixant le Droit à percevoir sur les Tabacs à leur entrée en Égypte.—Alexandrie, le 25 Juin, 1890.

Nous, Khédive d'Égypte,

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. A partir du 1^{er} Juillet, 1890, est fixé à 200 millièmes par kilog. le droit à percevoir au moment de leur entrée en Égypte, c'est-à-dire, au moment de leur retrait des magasins et entrepôts dépendants de la Douane, sur les tabacs Turcs de toutes qualités, en feuilles, coupés, râpés, et en cigarettes, ainsi que sur tous les tabacs originaires des pays admis, aux termes d'arrangements spéciaux, à importer leurs tabacs en Égypte.

2. L'importation du tombac Persan et des cigares, interdite aux particuliers et constituée en monopole au profit de l'État, continuera à être régie par les Décrets antérieurs.

3. L'importation du tombac Turc et de toute autre provenance est régie par un Décret spécial portant la date de ce jour.

4. Les tabacs de toutes espèces et sous toutes les formes, débarqués en Égypte et destinés à transiter sur le pays, doivent être déclarés à la Douane avant leur débarquement et être débarqués directement dans les magasins de la Douane.

Toute contravention à cette disposition sera considérée comme

tentative de contrebande, et punie de la confiscation de la marchandise et d'une amende égale au double droit d'entrée, sans préjudice de la perception du droit fraudé.

5. Toutes dispositions contraires résultant de Lois et Décrets antérieurs sont et demeurent abrogées.

6. Un Arrêté ultérieur, rendu par notre Ministre des Finances, réglementera la circulation des tabacs dans l'intérieur du pays.

7. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 25 Juin, 1890 (8 Zilkadé, 1307).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

DECRET du Khédive d'Égypte, interdisant l'Importation du Tombac de toute provenance qui constitue un monopole de l'État.—Alexandrie, le 25 Juin, 1890.

Nous, Khédive d'Égypte,

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. L'importation du tombac Turc et de toute autre provenance est interdite aux particuliers et constitue un monopole de l'État.

2. Notre Ministre des Finances est autorisé à concéder l'exploitation de ce monopole.

3. Les tombacs Turcs et de toute autre provenance, existant en Douane ou arrivant avant l'expiration de quatre mois à partir de la promulgation du présent Décret, pourront être introduits en Égypte et vendus librement par leurs propriétaires, après paiement à la Douane des droits, à raison de 200 millièmes par kilogramme.

Toutefois, les quantités actuellement en route devront être déclarées à la Direction Générale des Douanes, dans un délai de trente jours à partir de la promulgation du présent Décret, avec dépôt de 20 pour cent des droits d'importation.

4. Les tombacs de toute provenance arrivant en Égypte en transit devront être entreposés dans les magasins de la Douane.

5. Toutes les dispositions contraires au présent Décret sont et demeurent abrogées.

6. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 25 Juin, 1890 (8 Zilkadé, 1307).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

**DÉCRET du Khédive d'Égypte, interdisant en Égypte la
Culture des Tabacs et Tombacs.—Alexandrie, le 25 Juin,
1890.**

Nous, Khédive d'Égypte,

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. La culture des tabacs et tombacs, dans toute l'étendue du territoire Égyptien, est interdite à partir de la promulgation du présent Décret, sans préjudice, toutefois, des autorisations en cours, qui demeurent valables jusqu'à leur expiration.

2. Le semis et la culture des tabacs ou tombacs seront punis d'une amende à raison de £ E. 200 par feddan, sans préjudice de la confiscation et destruction des plantes ou de la récolte.

Faute par le Cheikh du cultivateur contrevenant d'avoir dénoncé la contravention, il sera tenu solidairement responsable avec lui du paiement de toutes les amendes infligées.

Les amendes sont prononcées par les Moudirs ou Gouverneurs, dont les décisions ne seront susceptibles d'aucune espèce de recours devant aucune juridiction.

Le recouvrement des amendes aura lieu par la voie administrative, dans les formes établies par notre Décret du 25 Mars, 1880.

3. Les amendes effectivement perçues seront attribuées, après déduction des frais, dans la proportion des trois quarts aux dénonciateurs qui auront fait découvrir la culture clandestine, qu'ils soient ou non employés du Gouvernement, et d'un quart aux rasisants, sans que l'État puisse jamais, sous quelque prétexte que ce soit, être tenu au delà des sommes qu'il aura effectivement encaissées de ce chef.

4. Sont et demeurent abrogées toutes dispositions des Lois et Décrets antérieurs, en tant qu'elles sont contraires au présent Décret.

5. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 25 Juin, 1890 (8 Zilkadé, 1307).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

DÉCRET du Khédive d'Égypte, portant Clôture au 15 Juillet, 1891, des Opérations de la Conversion de la Dette.—Kéneh, le 13 Janvier, 1891.

Nous, Khédive d'Égypte,

Vu nos Décrets des 6* et 7† Juin, 1890 ;

Vu l'avis conforme de MM. les Commissaires de la Caisse de la Dette Publique ;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. Les opérations de la conversion de la Dette Priviliée par les établissements financiers qui en ont été chargés en vertu de notre Décret du 7 Juin, 1890, seront clôturées le 15 Juillet, 1891.

Après cette date les anciens titres de la Dette Priviliée non encore convertis devront être présentés directement à la Caisse de la Dette Publique, au Caire.

2. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait à Kéneh, le 13 Janvier, 1891 (2 Gamad-Akher, 1308).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

* Vol. LXXXII, page 1006.

† Vol. LXXXII, page 1011.

DÉCRET du Khédive d'Égypte, déterminant les Pays dont les Tabacs originaires seront seuls admis à l'Importation en Égypte.—Le Caire, le 16 Mars, 1891.

Nous, Khédive d'Égypte,

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. A partir du 21 Mars courant, seront seuls admis à l'importation en Égypte les tabacs originaires des pays ci-après :—

Amérique ;

Autriche-Hongrie ;

Belgique ;

Grande-Bretagne ;

Italie ;

Pays-Bas ;

Suède et Norvège.

2. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Abdine, le 6 Chaban, 1308 (16 Mars, 1891).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*

Ministre des Finances.

DÉCRET du Khédive d'Égypte, relatif à l'Emprunt Ottoman 4 pour Cent sur le Tribut de l'Égypte.—Le Caire, le 2 Mars, 1891.

Nous, Khédive d'Égypte,

Informé par la Sublime Porte de la conclusion par Contrat en date du ^{11 Février}_{5 Mars} 1891, entre le Gouvernement de Sa Majesté Impériale le Sultan et MM. N. M. Rothschild et Sons, de Londres, MM. Rothschild Frères de Paris, et la Banque Impériale Ottomane, d'un emprunt sous le titre d'Emprunt Ottoman 4 pour Cent sur le tribut d'Égypte; destiné à pourvoir au remboursement des titres encore en circulation de l'Emprunt 5 pour Cent dit "Ottoman Defence Loan, 1877," et nous conformant à l'ordre Impérial en date du 25 Redjeb, 1308, déclarons par les présentes nous engager

pour nous-même et nos successeurs envers MM. Rothschild et Sons, qui nous ont été désignés par le susdit Ordre Impérial, à payer entre leurs mains à Londres, à dater du 10 Avril, 1891, la somme de 280,622*l.* 18*s.* 4*d.* qui se trouve dégagée de son affectation actuelle par l'effet du remboursement des obligations de l'Emprunt ("Defence Loan"), tel qu'il résulte du Contrat ci-dessus indiqué.

En conséquence, le Gouvernement Égyptien payera annuellement pendant soixante ans, à partir du 10 Avril, c'est-à-dire, jusqu'à l'extinction de l'Emprunt Nouveau 4 pour Cent susmentionné, à MM. N. M. Rothschild et Sons, à Londres, la somme irréductible de 280,622*l.* 18*s.* 4*d.* Cette somme sera prélevée sur le tribut d'Égypte que nous et nos successeurs devons et devons au Gouvernement Impérial Ottoman.

La somme susdite sera payée en or, aux échéances indiquées dans le Tableau ci-après.

Le premier paiement aura lieu le 10 Juin, 1891.

Fait au Caire, le 20 Mars, 1891 (10 Chaaban, 1308).

MÉHÉMET THEWFIK.

Tableau des Payements.

					£	s.	d.
10 Juin de chaque année	..	..	..	..	10,000	0	0
31 Juillet	„	..	..	..	95,000	0	0
10 Septembre	„	..	..	..	20,000	0	0
25 Septembre	„	..	..	..	15,311	9	2
31 Janvier	„	..	..	..	116,000	0	0
10 Mars	„	..	..	..	24,311	9	2
					<hr/>		
					280,622	18	4

Et ainsi pour les années suivantes jusqu'à l'extinction de l'Emprunt.

DÉCRET du Khédivé d'Égypte, portant que le Décret du 19 Avril, 1888, relatif au Monopole des Cigares cessera d'être en vigueur à partir du 5 Mai, 1891.—Le Caire, le 28 Mars, 1891.

Nous, Khédivé d'Égypte,

Vu les Décrets des 19 Avril, 1888, et 7 Juin, 1888;*

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres;

* Vol. LXXIX, page 754.

Décrétons :

ART. 1^{er}. Notre Décret en date du 19 Avril, 1888, constituant un monopole pour l'importation des cigares, cessera d'être en vigueur le 5 Mai, 1891.

2. A partir de cette date du 5 Mai, 1891, les droits à percevoir sur les cigares à leur entrée en Égypte sont fixés comme suit :

Cigares inférieurs, dits Maltais, £ E. 0.250 millièmes par kilogramme.

Cigares fins, Havane et autres, dont le coût est de £ E. 6 et au-dessus par 1,000 cigares, £ E. 1 par kilogramme.

Cigares de toutes autres qualités, £ E. 0.400 millièmes par kilogramme.

3. Les cigares arrivant en Égypte en transit devront être entreposés dans les magasins de la douane.

4. Toutes dispositions contraires au présent Décret sont et demeurent abrogées.

5. Notre Ministre des Finances est chargé de l'exécution du présent Décret.

Fait au Palais d'Abdine, le 28 Mars, 1891 (18 Chaban, 1308).

MÉHÉMET THEWFIK.

Par le Khédive :

RIAZ, *Président du Conseil des Ministres,*
Ministre des Finances.

DECRET du Khédive d'Égypte, modifiant le Décret du 10 Mars, 1884, relatif à la Culture du Hachiche.—Alexandrie, le 28 Mai, 1891.

Nous, Khédive d'Égypte,

Vu notre Décret en date du 10 Mars, 1884 ;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. L'Article 1^{er} de notre Décret précité est modifié comme suit :—

La culture du hachiche est interdite dans tout le territoire de l'Égypte, et elle est punie d'une amende de £ E. 50 par feddan ou fraction de feddan.

En cas de récidive, l'amende sera portée à £ E. 100.

L'introduction, la mise en vente et la simple détention du hachiche sont également prohibées, et elles sont punies d'une

amende à raison de £ E. 10 par kilogramme ; mais cette amende ne pourra jamais être inférieure à £ E. 2, quelle que soit la quantité au-dessous d'un kilogramme.

La même peine est applicable pour la tentative d'introduction.

En cas de récidive l'amende sera portée à £ E. 30 par kilogramme, sans qu'elle puisse être inférieure à £ E. 6, si la quantité est moindre d'un kilogramme.

Les plantes seront détruites et le hachiche sera confisqué.

2. Les autres Articles de notre Décret du 10 Mars, 1884, sont maintenus.

3. Nos Ministres de l'Intérieur et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 20 Chawal, 1308 (28 Mai, 1891).

MÉHÉMET THEWFIK.

Par le Khédive :

MOUSTAPHA FEHMY, *Président du Conseil des Ministres,*

Ministre de l'Intérieur.

ABDER RAHMAN ROUOHDI, *Ministre des Finances.*

DÉCRET du Khédive d'Égypte, relatif à la Falsification du Tabac.—Alexandrie, le 22 Juin, 1891.

Nous, Khédive d'Égypte,

Considérant qu'il est à la connaissance de notre Gouvernement que des industriels, en vue de réaliser des bénéfices illicites, fabriquent, au moyen de feuilles d'arbre et de plantes soumises à certaines préparations ou mélangées avec une quantité minime de tabac véritable, un produit qu'ils vendent comme étant du tabac ;

Considérant que ce fait constitue une fraude lésant gravement les intérêts du Trésor, autant qu'un préjudice considérable pour le commerce loyal et régulier ;

Considérant qu'il y a lieu même dans l'intérêt du public de le protéger contre un pareil abus ;

Considérant que dans ces circonstances une répression sévère s'impose ;

Sur la proposition de notre Ministre des Finances et l'avis conforme de notre Conseil des Ministres ;

Décrétons :

ART. 1^{er}. L'introduction, la fabrication, la circulation, la vente ainsi que la détention du tabac factice, constituent des faits de

contrebande. Toutes matières préparées pour être vendues ou consommées comme tabacs seront confisquées et détruites sans préjudice d'une amende de P. E. 200 par kilogramme ou fraction de kilogramme. En cas de récidive, l'amende pourra être portée au double.

2. Sont également passibles de la confiscation et de la destruction, ainsi que de l'application de l'amende, les tabacs auxquels on aura mêlé des matières étrangères dans n'importe quelle proportion.

3. Les amendes effectivement perçues seront attribuées après déduction des frais, dans la proportion des trois quarts aux dénonciateurs qui auront fait découvrir la contravention, qu'ils soient ou non employés du Gouvernement, et d'un quart aux saisissants, sans que l'État puisse jamais, sous quelque prétexte que ce soit, être tenu au delà des sommes qu'il aura effectivement encaissées de ce chef.

4. Les dispositions qui précèdent sont applicables solidairement aux auteurs et complices, aux propriétaires, détenteurs, transporteurs, et colporteurs du dit produit.

5. Seront également confisquées les barques, voitures, et bêtes de trait ou de somme qui auraient servi à transporter, de même que les instruments, matières, et matériels quelconques qui auraient servi à fabriquer ce produit ou à le vendre, ainsi que toutes autres marchandises dont on l'aurait entouré pour le dissimuler ou en faciliter la vente.

6. La Commission Douanière prononcera sa décision sur la confiscation et sur l'application de l'amende, comme dans les autres cas de contrebande, sauf aux prévenus le droit de se pourvoir en opposition contre cette décision, conformément au Règlement Douanier en vigueur.

7. Le présent Décret sera exécutoire dans toute l'Égypte quarante-huit heures après sa publication aux Journaux Officiels.

8. Nos Ministres de l'Intérieur et des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 22 Juin, 1891 (15 Zilkadeh, 1308).

MÉHÉMET THEWFIK.

Par le Khédive :

MOUSTAPHA FEHMY, *Président du Conseil des*

Ministres, Ministre de l'Intérieur.

A. ROUCHDY, *Ministre des Finances.*

DÉCRET du Khédive d'Égypte, modifiant celui du 14 Juin, 1883, portant Réorganisation des Tribunaux Indigènes.— Alexandrie, le 5 Juillet, 1891.

Nous, Khédive d'Égypte,

Vu notre Décret en date du 9 Chaban, 1300 (14 Juin, 1883),* portant réorganisation des Tribunaux indigènes ;

Sur la proposition de notre Ministre de la Justice et l'avis conforme de notre Conseil des Ministres ;

Le Conseil Législatif entendu ;

Décrétons :

ART. 1^{er}. L'Article 10 du Décret précité est modifié comme suit :—

“ Chacune de ces Cours sera composée au moins de huit Conseillers, dont un Président et un Vice-Président.

“ En matière civile et commerciale les arrêts seront rendus par trois Conseillers.

“ Il en sera de même en matière répressive.

“ Toutefois, lorsqu'il s'agit de crimes que la loi punit des peines de la mort, des travaux forcés à perpétuité, de la détention à perpétuité ou de l'exil à perpétuité, la Chambre de la Cour qui prononcera l'arrêt devra être composée de cinq Conseillers.”

2. L'Article 21 du même Décret est également modifié comme suit :—

“ Les Cours d'Appel connaîtront, comme Cour de Cassation, conformément au Code d'Instruction Criminelle, de tous pourvois pour vices de forme ou violation de la loi.

“ Dans ce cas la Chambre qui rendra l'arrêt sera composée de sept Conseillers autres que ceux qui ont jugé sur l'appel.”

3. Notre Ministre de la Justice est chargé de l'exécution du présent Décret.

Fait au Palais de Ras-el-Tin, le 28 Zilkadeh, 1308 (5 Juillet, 1891).

MÉHÉMET THEWFIK.

Par le Khédive :

MOUSTAPHA FEHMY, *Président du Conseil des Ministres.*

FAKHEY, *Ministre de la Justice.*

GERMAN NOTIFICATION of the Accession of Mexico to the International Metrical Convention of May 20, 1875.—Berlin, February 23, 1891.*

(Translation.)

By Article XI of the International Metrical Convention of the 20th May, 1875,* the right is reserved to other States not parties to the Convention to adhere thereto. A communication has been made by the International Committee of Weights and Measures to the effect that the Mexican Government has notified through the diplomatic channel its accession to the Metrical Convention, to date from the 30th December last.

Berlin, February 23, 1891.

VON BOETTICHER.

BRITISH ORDER IN COUNCIL, providing for the exercise of British Jurisdiction in certain Territories in South Africa, north of British Bechuanaland.—Windsor, May 9, 1891.

At the Court at Windsor, the 9th day of May, 1891.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Lord Steward.

Earl of Coventry.

WHEREAS the territories of South Africa situate within the limits of this Order, as hereinafter described, are under the protection of Her Majesty the Queen;

And whereas by Treaty, grant, usage, sufferance, and other lawful means Her Majesty has power and jurisdiction in the said territories;

Now, therefore, Her Majesty, by virtue and in exercise of the powers by "The Foreign Jurisdiction Act, 1890,"† or otherwise in Her Majesty vested, is pleased by and with the advice of her Privy Council to order, and it is hereby ordered, as follows:—

1. The limits of this Order are: the parts of South Africa bounded by British Bechuanaland, the German Protectorate, the Rivers Chobe and Zambezi, the Portuguese possessions, and the South African Republic.

* Vol. LXVI, page 562.

† Vol. LXXXII, page 656.

2. The High Commissioner may, on Her Majesty's behalf, exercise all powers and jurisdiction which Her Majesty, at any time before or after the date of this Order, had or may have within the limits of this Order, and to that end may take or cause to be taken all such measures, and may do or cause to be done all such matters and things within the limits of this Order as are lawful, and as in the interest of Her Majesty's service he may think expedient, subject to such instructions as he may from time to time receive from Her Majesty or through a Secretary of State.

3. The High Commissioner may appoint so many fit persons as in the interest of Her Majesty's service he may think necessary to be Deputy Commissioners, or Resident Commissioners, or Assistant Commissioners, or Judges, Magistrates, or other officers, and may define from time to time the districts within which such officers shall respectively discharge their functions.

Every such officer may exercise such powers and authorities as the High Commissioner may assign to him, subject, nevertheless, to such directions and instructions as the High Commissioner may from time to time think fit to give him. The appointment of such officers shall not abridge, alter, or affect the right of the High Commissioner to execute and discharge all the powers and authorities hereby conferred upon him.

The High Commissioner may remove any officer so appointed.

4. In the exercise of the powers and authorities hereby conferred upon him, the High Commissioner may, amongst other things, from time to time by Proclamation provide for the administration of justice, the raising of revenue, and generally for the peace, order, and good government of all persons within the limits of this Order, including the prohibition and punishment of acts tending to disturb the public peace.

The High Commissioner in issuing such Proclamations shall respect any native laws or customs by which the civil relations of any native Chiefs, tribes, or populations under Her Majesty's protection are now regulated, except so far as the same may be incompatible with the due exercise of Her Majesty's power and jurisdiction.

5.* Every Proclamation of the High Commissioner shall be published in the Gazette, and shall, from and after the expiration of one month from the commencement of such publication, and thereafter until disallowed by Her Majesty or repealed or modified by any subsequent Proclamation, have effect as if contained in this Order.

6.* Her Majesty may disallow any such Proclamation wholly or

* Revoked by Order in Council of July 30, 1891, page 812.

in part, and may signify such disallowance through a Secretary of State, and upon such disallowance being publicly notified by the High Commissioner in the Gazette the provisions so disallowed shall, one month after such publication, cease to have effect, but without prejudice to anything theretofore lawfully done thereunder.

7. The Courts of British Bechuanaland shall have, in respect of matters occurring within the limits of this Order, the same jurisdiction, civil and criminal, original and appellate, as they respectively possess from time to time in respect of matters occurring within British Bechuanaland, and the judgments, decrees, orders, and sentences of any such Court made or given in the exercise of the jurisdiction hereby conferred may be enforced and executed, and appeals therefrom may be had and prosecuted in the same way as if the judgment, decree, order, or sentence had been made or given under the ordinary jurisdiction of the Court.

But the jurisdiction hereby conferred shall only be exercised by such Courts, and in such manner and to such extent, as the Governor of British Bechuanaland shall by Proclamation from time to time direct.

8. Subject to any Proclamation made under this Order, any jurisdiction exercisable otherwise than under this Order, whether by virtue of any Statute or Order in Council, or of any Treaty, or otherwise, and whether exercisable by Her Majesty, or by any person on her behalf, or by any Colonial or other Court, or under any Commission, or under any Charter granted by Her Majesty, shall remain in full force.

9. Judicial notice shall be taken of this Order, and of the commencement thereof, and of any Proclamation made under this Order, and published in the Gazette, and of any Treaties affecting the territories within the limits of this Order, and published in the Gazette, or contained in papers presented to both Houses of Parliament by command of Her Majesty.

10. This Order shall be published in the Gazette, and shall thereupon commence and come into operation; and the High Commissioner shall give directions for the publication of this Order at such places, and in such manner, and for such time or times as he thinks proper for giving due publicity thereto within the limits of this Order.

11. The Orders in Council of the 27th day of January, 1885,* for the establishment of civil and criminal jurisdiction in Bechuanaland, and of the 30th day of June, 1890,† providing for the exercise of Her Majesty's jurisdiction in certain territories in South Africa, shall continue in force until the commencement of this Order and be

* Vol. LXXVI, page 982.

† Vol. LXXXII, page 1061.

thereupon revoked, but without prejudice to anything lawfully done thereunder, and any Proclamation theretofore issued under the said Orders shall continue in operation until repealed or altered by any Proclamation of the High Commissioner under this Order.

12. Her Majesty may from time to time revoke, alter, add to, or amend this Order.

13. In this Order, unless the subject or context otherwise requires—

“Her Majesty” includes Her Majesty’s heirs and successors.

“Secretary of State” means one of Her Majesty’s Principal Secretaries of State.

“High Commissioner” means Her Majesty’s High Commissioner for the time being for South Africa.

“Treaty” includes any existing or future Treaty, Convention, or Agreement between Her Majesty and any civilized Power, or any native tribe, people, Chief, or King, and any Regulation appended to any such Treaty, Convention, or Agreement.

“Gazette” means any official Gazette published by authority of the High Commissioner, and until such Gazette is instituted, means the Cape of Good Hope Government Gazette.

C. L. PEEL.

BRITISH ORDER IN COUNCIL, amending the Order in Council of May 9, 1891, respecting British Jurisdiction in certain Territories of South Africa, north of British Bechuanaland.—Osborne, July 30, 1891.*

At the Court at Osborne House, Isle of Wight, the 30th day of July, 1891.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY.

Archbishop of York.

Lord Privy Seal.

Lord President.

Lord Arthur Hill.

WHEREAS it is expedient to amend the 5th and 6th sections of the Order of Her Majesty in Council of the 9th May, 1891, providing for the exercise of Her Majesty’s jurisdiction in certain territories of South Africa which are under the protection of Her Majesty;

Now, therefore, Her Majesty, by virtue and in exercise of the powers of “The Foreign Jurisdiction Act, 1890,”† or otherwise in

* Page 809.

† Vol. LXXXII, page 656.

Her Majesty vested, is pleased by and with the advice of her Privy Council to order, and it is hereby ordered, as follows :—

1. The 5th and 6th sections of the said Order in Council of the 9th May, 1891, are hereby revoked, but without prejudice to anything lawfully done thereunder.

2. In lieu of the sections so revoked, the following two sections shall be taken to be part of the said Order, and shall be read as if they were the 5th and 6th sections thereof :—

“5. Every Proclamation of the High Commissioner shall be published in the Gazette, and shall, from and after a date to be mentioned in such Proclamation, and thereafter until disallowed by Her Majesty or repealed or modified by any subsequent Proclamation, have effect as if contained in this Order.”

“6. Her Majesty may disallow any such Proclamation wholly or in part, and may signify such disallowance through a Secretary of State, and upon such disallowance being publicly notified by the High Commissioner in the Gazette the provisions so disallowed shall, from and after a date to be mentioned in such notification, cease to have effect, but without prejudice to anything theretofore lawfully done thereunder.”

3. This Order shall be published in the Cape of Good Hope Government Gazette, and shall thereupon commence and come into operation ; and the High Commissioner shall take such measures as he thinks proper for giving due publicity thereto within the limits of the said Order.

C. L. PEEL.

DISCOURS du Roi de la Roumanie, à l'Ouverture de la Session Extraordinaire des Corps Législatifs.—Bucarest, le 11 Mai, 1891.

(Traduction.)

MM. LES SÉNATEURS, MM. LES DÉPUTÉS,

JE me sens toujours heureux quand je me trouve au milieu des représentants de la nation, et j'ai la conviction que le corps électoral, en renouvelant une des deux Assemblées de notre Parlement, a assuré une majorité qui mettra le Gouvernement en position de diriger avec autorité et profit les intérêts de l'État.

Les travaux commencés pendant l'ancienne Législature se sont trouvés arrêtés par la convocation des collèges électoraux pour la Chambre, de sorte que les plus importants besoins de l'État sont restés en souffrance.

Cette Session Extraordinaire est appelée à donner une prompte satisfaction à ces besoins.

Il est à désirer que le Budget de l'État soit voté sans retard, afin que vos efforts puissent spécialement se porter sur l'étude et le vote du Tarif Douanier, destiné à régler nos relations commerciales internationales et que le pays attend avec une légitime impatience.

Les travaux de défense du pays sont confiés, comme toujours, à votre patriotisme, afin que leur exécution soit continuée sans interruption.

Mon Gouvernement vous présentera encore, dans cette Session, quelques autres Projets de Loi étroitement liés au Budget de l'État.

Cette Session sera ainsi profitable au pays, et vous, menant à bonne fin les travaux qui vous sont soumis, vous prouverez que vous êtes animés d'un esprit sage et patriotique, dont la nation vous sera reconnaissante.

Que Dieu bénisse vos travaux.

La Session Extraordinaire des Corps Législatifs est ouverte.

SPEECH of the King of Sweden and Norway, on the Opening of the Swedish Diet.—Stockholm, January 19, 1891.

(Translation.)

GENTLEMEN,

I BID you welcome this day to the weighty business to which your fellow-citizens' choice has called you.

Parliament meets in the midst of universal peace abroad, and our relations with all foreign Powers are satisfactory. Within our own land that calm reigns which lawful freedom insures. The affairs of the world will, however, doubtless, in the future as in the past, give full cause for serious reflection. The lesson they teach is unchangeably that "unity gives strength."

May my beloved peoples, whose fates are united, ever bethink themselves of what that truth means, of what it requires of them both.

And may that people, to whose representatives I especially speak this day, never let political differences of opinion obscure their regard for the weal of all.

The Giver of all good things has blest our land with a plenteous harvest.

The financial estimates which are laid before you are drawn up under such very favourable circumstances that, notwithstanding a proposed vigorous prosecution of railway construction and a provision

for other weighty State objects, I do not need to suggest the raising of a loan, but, on the contrary, an increased contribution to the National Debt Sinking Fund and a further strengthening of the State Cash Balance Fund.

I have watched with satisfaction the rising zeal for the strengthening of our defensive forces which has shown itself in many parts of the country, and I see therein a growing support for my constant endeavours in the same direction.

An Army Organization Bill is being prepared.

Proposals for new Maritime Laws will be laid before you, as also proposals for the encouragement of agriculture and the fishing industry and Bills for Workmen's Accident Insurance and Sick Clubs.

Calling down God's blessing upon you and your work, I pronounce this Parliament open, and ever remain, Gentlemen, with all Royal grace and favour, well disposed towards you.

SPEECH of the Queen Regent of Spain, on the Opening of the Cortes.—Madrid, March 2, 1891.

(Translation.)

SENATORS AND DEPUTIES,

THIS solemn ceremony is a pleasing and consolatory one for me, as meeting the representatives of the nation collected round the throne mitigates the bitter recollections of grief, and affords well-founded hopes of good fortune.

The free and orderly exercise of the franchise has given clear proof how solid are the constitutional bases on which the general tranquillity and public freedom rest. You will proceed now to verify the results of this first trial of the new electoral system by examining the returns with perfect impartiality.

My Government does not propose to lay before you any restrictions of the political and juridical reforms which were carried out during the first years of the Regency, and which constitute a legal status worthy of all respect.

Such an opportunity as now presents itself will allow you to devote your whole attention to the economic administrative and fiscal requirements of the country which my Government is desirous of satisfying, by developing a system of effective protection of all branches of national industry and a continuous policy for balancing the Estimates of the State.

The prevailing peace and tranquillity permit me to realize the sincere wish, which I have always had at heart, to propose to you an

amnesty for the small number of Spaniards who are under indictment for political offences, without restriction except so far as is required by military discipline.

I have the greatest pleasure in announcing to you that the relations of Spain with all other nations in both hemispheres are most friendly; my Government has recognized the Republic of Brazil, and is carrying on cordial negotiations with France for the settlement of the frontiers of the territories in the Gulf of Guinea.

The bonds which unite us to the Holy See continue to be such as correspond with the Catholic sentiment of our fatherland and with the filial devotion which I feel for the venerable Pontiff who fills the See of St. Peter.

The representations which have been made to the Emperor of Morocco with regard to the events which occurred near Melilla, as well as those previous ones which were already being dealt with, have been met in a most satisfactory spirit, and as a proof of friendship towards my august son and of sympathy for the Spanish nation, His Shereefian Majesty has decided to send an Extraordinary Embassy to Madrid, which I shall shortly receive.

The Government of the French Republic having communicated its resolution that the Treaty of Commerce in force should cease on the 1st February, 1892, it becomes necessary to establish the economic relations of Spain with other nations on a new footing, since that Treaty, as you know, was the basis of our mercantile system. My Government has therefore denounced the Treaties which limited our sovereign rights over the Customs, and they are about to negotiate others, bearing in mind the great interests of production and commerce, and the legitimate aspirations which made themselves heard at the public inquiry recently held.

Important reforms will be brought to your notice which are demanded by necessity and public opinion; they relate to the Penal Code, the Organic Law of the Tribunals, the civil and criminal procedure, the legislation respecting penal settlements and the "Registro Civil."

My Government has likewise already adopted various Resolutions which show their zeal for the general interests of the army, and now in the same spirit they have drafted several Bills with the following objects: to organize recruiting and substitution on the basis of compulsory military instruction; to hasten the completion of the most urgent works for the defence of our coasts and frontiers; to ameliorate the material conditions of our officers without imposing any new charges on the Public Exchequer; to correct the inequalities which exist in the ancient legislation of Montepío; to put on a proper footing the service of the annual manœuvres; finally, to establish a division of zones which may serve as mobilizing centres for

the territorial militia, a scheme which has often been tried, but never yet brought to a satisfactory termination.

From a similar spirit of solicitude for the welfare of the navy the following measures have been adopted : a Pension Fund for invalids belonging to trades connected with ship-building ; the introduction in the dockyards of piece-work ; the formation of the departments into three divisions so as to be in keeping with the requirements of modern naval warfare ; the reorganization of the corps of machinists ; and, finally, the publication of the regulations for the mobilization of the fleet. To complete these administrative dispositions a Bill will be drafted to reform, without further charges, the scale of pay on active service of the general body of the navy, inaugurating at the same time a reserve so that the officers may fill the superior posts at an age which may be in keeping with the fatigues and hardships which are incurred in a life at sea.

The Public Treasury will demand your special attention. It is above all necessary to meet the deficit in the Estimates by maintaining a firm control over the increase in expenditure, economizing in those branches where it may be possible, and increasing the revenue, with the consideration due to tax-payers who are already heavily burdened.

As the extraordinary expenses connected with the construction of the fleet have been covered for a period of three years with the resources, which were provided for two only, it will not be necessary to provide new means for continuing the work undertaken.

The amount of the floating debt and that also of the Treasury bills which have accumulated in these last years require, in view of the amount, a consolidation at a more or less immediate date, and on the other hand it will be necessary to improve the conditions of the present paper issue firmly based on the credit of the Bank of Spain.

The State accounts call for modification, which are already prepared, and which meet with almost general approval.

At the same time, proposals will be laid before you for a partial reform of the Municipal and Provincial Laws, not as regards their original conception and political bearing, but in those points which experience recommends.

It is necessary to render them more easy of execution, so as to allow of greater freedom to those towns which are capable of administering their own affairs in an orderly manner. It is also necessary to establish prompt measures for the reform of financial responsibility and the correction of irregularity in the accounts, at the same time improving the condition of municipal functionaries.

Whatever affects the interests of the working classes is a matter of deep concern to me. It is one of prime importance for the

consideration of all Legislatures and Governments, and mine will persevere in the work already undertaken, and will act as far as possible in concert with the Commission which is occupied in the study of this question.

With a view to the joint promotion of both the moral and the material interests of the country, my Government will also lay before you Bills relating to public instruction, to water supply, to mines, to railways, and to industrial property.

The first part of the credit operation authorized by the Cuban Budget Act having been effected with brilliant results, nothing else has occurred in our Colonial possessions of which I need speak to you. The natural apprehension excited by the last Tariff Law of the United States is being gradually removed, and if, as I hope, the negotiations set on foot with that nation should lead at no distant date to a Convention with it, confidence will be restored, and our Antilles will have a renewed impulse in persevering to revive their prosperity.

As regards the political order of things, a Bill for the election of Members of the Cortes for the Islands of Cuba and Puerto Rico will be duly submitted to you.

The aggressions of the blacks of Mindanao and the rebellion of some indigenous tribes of Ponape having been successfully dealt with, our possessions in the Oceanic Archipelago enjoy the blessings of peace, and those in the Philippines in particular are developing their great natural resources.

Deputies and Senators,

The great and arduous task of economic reorganization and of furthering general progress which is intrusted to you requires efforts on your part during a Parliamentary Session which will, I hope, be fruitful in beneficial measures for the country. God's help should not be wanting to aid us in so patriotic a duty, and that we may deserve it, let our purposes and our actions be animated by the spirit of concord and by the high-mindedness which the Spanish nation has always known how to exhibit in its days of difficulty as in the most glorious ones of its history.

SPEECH of the Queen-Regent of the Netherlands, on the Opening of the States-General.—The Hague, September 15, 1891.

Translation.)

MESSIEURS,

JE vois, avec reconnaissance, réunis autour de moi les États-Généraux, prêts à reprendre leurs travaux.

L'état général du pays et de la nation peut être considéré comme satisfaisant sous beaucoup de rapports.

Les relations avec toutes les Puissances étrangères sont des plus amicales.

La flotte et l'armée continuent à remplir leur devoir d'une manière digne de tout éloge. L'une et l'autre, particulièrement là où le blocus de la côte d'Atchin exige de la flotte des efforts plus qu'ordinaires, ont prouvé être à la hauteur de leur tâche.

Les finances de l'État devront être renforcées pour faire face à des dépenses arrêtées précédemment.

Le commerce et la navigation se développent, les résultats de l'industrie ne sont point défavorables, la récolte a souffert du mauvais temps, mais l'état du bétail est satisfaisant.

A l'occasion des dernières élections il a derechef été clairement démontré qu'il est désirable de procéder avec ordre et sans plus de retard aux réformes législatives et administratives, dont la nécessité est reconnue et auxquelles la révision de la loi fondamentale a ouvert le chemin.

C'est vers ce but que tendront mes efforts.

Un Projet de Loi réglant le droit électoral—condition nécessaire à une amélioration constante—est en voie de préparation.

La révision des Lois Provinciales et Communales devra suivre. En attendant des mesures provisoires pourront être prises pour venir en aide aux communes dont les charges sont trop lourdes.

L'amélioration du système des impôts de l'État constitue une nécessité pressante au point de vue de l'équité. Des projets de loi tendant à y remédier vous atteindront prochainement.

Des projets tendant à organiser l'armée et à régler les forces militaires de manière à assurer la défense du pays, sans exiger de trop grands sacrifices personnels et pécuniaires, sont en voie de préparation. En attendant un projet vous sera présenté tendant à renforcer la milice nationale.

Le matériel de la marine exige des améliorations. Des mesures sont à l'étude pour y subvenir.

L'organisation légale de la justice administrative sera élaborée avec soin.

Un projet de Code Pénal Militaire sera très probablement présenté dans le courant de cette Session.

La révision d'autres parties de notre législation sera mise à l'étude.

Des dispositions législatives concernant l'enseignement obligatoire vous seront présentées.

L'enseignement professionnel se rapportant soit au commerce, soit à la navigation, à l'industrie, ou à l'agriculture, peut compter sur mon appui.

Je continue à vouer mon attention à l'amélioration des rapports sociaux en tenant compte des exigences du commerce et de l'industrie.

Des mesures à prendre dans l'intérêt de la sûreté et de l'état sanitaire dans les fabriques et ateliers, et pour assurer le sort des ouvriers âgés ou invalides, seront élaborées suivant le progrès que fera l'enquête ordonnée par le législateur.

J'ai vivement à cœur la prospérité de nos possessions d'outre-mer.

Tous mes efforts tendront à faire répondre l'administration des Indes Néerlandaises aux exigences actuelles ; en favorisant le développement général par l'exécution dans une large mesure des travaux nécessaires, en écartant tout obstacle pouvant porter atteinte au progrès, et en donnant aux finances des Indes une base solide fondée sur la prospérité croissante de ses habitants.

Les mesures de contrainte prises dans le nord de Sumatra seront maintenues rigoureusement aussi longtemps qu'elles seront nécessaires pour prévenir toute tentative de rébellion et pour assurer le repos et l'ordre.

A Surinam j'attends d'heureux résultats de la coopération des États Coloniaux pour tout ce qui concerne la prospérité et le progrès de cette Colonie.

La tâche pour l'exécution de laquelle j'en appelle avec confiance à la coopération des États-Généraux dans le but d'assurer la prospérité matérielle et morale de la nation Néerlandaise, est très étendue et sérieuse.

Puissent vos travaux, Messieurs, avec la bénédiction de Dieu, contribuer au bonheur durable de la patrie bien-aimée.

Au nom de la Reine je déclare ouverte la Session ordinaire des États-Généraux.

SPEECH of the Emperor of Austria, King of Hungary, on the Meeting of the Austrian and Hungarian Delegations.— Vienna, November 11, 1891.

(Translation.)

Je vous remercie très cordialement des assurances de dévouement fidèle que vous venez de m'exprimer. Je puis annoncer avec satisfaction que nous entretenons des relations parfaitement amicales avec toutes les Puissances. D'accord avec nos alliés, je considère le maintien de la paix Européenne comme la plus sûre garantie pour le bonheur et la prospérité des peuples. Mon Gouvernement ne perd pas de vue ce but, et de tous les Cabinets il nous arrive, du reste, également des assurances des mêmes tendances pacifiques. Il est vrai que cela n'a pas encore abouti à écarter les dangers de la situation politique de l'Europe, ni à faire cesser les armements militaires universels ; mais comme le besoin de la paix se manifeste d'une manière si générale et unanimement, l'espoir ne semble pas exclu d'atteindre finalement ce but. Puisse-t-il m'être accordé de pouvoir annoncer à mes peuples l'heureux message que les soucis et les charges qu'occasionne actuellement la paix menacée ont pris fin.

Les projets qui sont soumis à notre examen d'après la Constitution sont un témoignage que mes Gouvernements ont pris scrupuleusement en considération la situation financière de la Monarchie, et que, dans les prévisions pour l'année prochaine relatives à l'armée et à la marine ils se sont bornés aux besoins inévitables et pressants, circonstance par suite de laquelle des exigences très importantes de l'administration de la guerre ont dû être ajournées.

En Bosnie et en Herzégovine il se manifeste dans toutes les branches de la vie économique un développement progressif et constant. Les propres recettes de ces pays suffiront donc aussi l'année prochaine à couvrir complètement les frais de l'Administration.

Convaincu que vous vous concurrez de toutes vos lumières et de tout votre dévouement à l'accomplissement de votre tâche, je forme les meilleurs vœux pour le succès prospère de votre activité, et je vous souhaite la bienvenue de tout mon cœur.

MESSAGE of the King of Roumania, closing the Extraordinary Session of the Legislature.—Bucharest, July 24, 1891.

(Translation.)

MM. LES SÉNATEURS, MM. LES DÉPUTÉS,

D'ACCORD avec le pays tout entier, je reconnais les sacrifices que vous avez faits en travaillant avec tant d'assiduité pendant cette Session Extraordinaire, c'est-à-dire, à une époque où vous deviez forcément négliger vos propres intérêts. Mais grande aussi est la satisfaction du devoir rempli envers le pays.

Le vote du Budget, établi sur des bases normales, assure la marche régulière des services publics et consolide le crédit de l'État.

Le Tarif Général des Douanes, en accordant à notre industrie naissante la protection voulue, est de nature à resserrer nos relations commerciales avec les marchés étrangers.

L'armée et la défense du pays ont reçu une force nouvelle considérable, grâce aux crédits que vous avez votés et aux lois appelées à assurer leur organisation sur une base stable.

Vous avez apprécié la grande importance des chemins de fer et vous avez voté plusieurs jonctions, ainsi que les crédits nécessaires à l'augmentation du matériel roulant, dont le manque était vivement ressenti.

MM. les Sénateurs, MM. les Députés,

Je suis convaincu que de telles œuvres vous attireront la reconnaissance du pays. De mon côté, je me sens heureux de vous exprimer ma gratitude.

En vertu de l'Article 95 de la Constitution, je déclare close la Session Extraordinaire des Corps Législatifs.

CAROL.

SPEECH of the King of Roumania, opening the Session of the Legislature.—Bucharest, November 14, 1891.

(Translation.)

MM. LES SÉNATEURS, MM. LES DÉPUTÉS,

JE ressens une joie, une particulière satisfaction, chaque fois que je me trouve, comme aujourd'hui, entouré des Représentants de la nation ; car cela me fournit toujours l'agréable occasion de constater par moi-même combien profonds et intimes, combien étroits sont devenus les liens entre le pays et la Dynastie. Nous avons eu, cette année, le bonheur de célébrer ensemble avec enthousiasme le

jubilé d'un règne d'un quart de siècle, au milieu d'une prospérité morale et matérielle incontestée, et qui, pour continuer de s'affirmer, ne demande que votre patriotique concours.

Nos relations avec toutes les Puissances étrangères sont des plus satisfaisantes et amicales, et ce résultat est dû, en grande partie, à notre sagesse et à notre prudence.

Nous constatons avec bonheur le calme actuel, et nous pouvons nous en féliciter d'autant mieux que si la paix est un bienfait pour toute nation, grande ou petite, elle est une nécessité encore plus impérieuse pour un État, comme le nôtre, qui se trouve en travail de transformation et de développement.

La réception cordiale et grandiose qui nous a été faite en Italie et en Allemagne, à l'occasion de notre dernier voyage, prouve combien l'État Roumain s'est élevé et combien sa situation s'est consolidée vis-à-vis de l'Europe.

Les finances de l'État se maintiennent dans les conditions les plus satisfaisantes.

L'équilibre des Budgets a eu pour résultat un excédent constant pendant ces dernières trois années, et les encaissements effectués dans le premier semestre de l'année courante nous permettent de prévoir un résultat encore plus favorable pour l'exercice en cours.

Le Budget de l'année prochaine, qui sera soumis à votre examen, bien que limité dans les ressources normales des impôts existants et malgré la suppression de la taxe des 5 pour cent sur les appointements des fonctionnaires ainsi que sur les pensions, nous permettra de disposer d'un surplus de ressources pour satisfaire aux besoins des services publics.

L'application du nouveau Tarif Douanier a déjà produit une augmentation des revenus pour l'année courante de 4,000,000 fr.

Les taxes sur les spiritueux ont également produit une plus value de un million sur les prévisions budgétaires, pendant les premiers six mois de l'année courante; les taxes de timbre et d'enregistrement sont aussi en augmentation de plus de 600,000 fr.

Les revenus des monopoles de l'État qui, les années dernières, sont parvenus à atteindre les évaluations budgétaires, les ont dépassées dans l'exercice en cours; le développement qui a été donné à leur exploitation les fera encore progresser l'année prochaine. Déjà au cours des premiers six mois, on a constaté un accroissement sur les prévisions budgétaires d'un million et demi. Même en tenant compte de ce fait que les mois d'hiver sont moins productifs, on peut, néanmoins, espérer qu'une plus value d'un million au moins sera acquise au Trésor.

Le Ministre des Finances soumettra les projets de lois qui ont été élaborés pour la révision des impôts actuels des licences et des patentes, en vue d'une répartition plus équitable.

Comme Lois Organiques, vous aurez à examiner les projets qui ont été élaborés pour l'organisation des Caisses de Crédits Agricoles, de la Haute Cour des Comptes, et pour la création d'un Mont de Piété.

Notre crédit est assis sur des bases solides. Il inspire la confiance, et si, dans ces derniers mois, il s'est produit une baisse sur nos rentes, les causes ne doivent pas en être cherchées dans notre situation financière.

En ce qui concerne les cultes et l'instruction publique, mon Gouvernement tiendra compte de l'initiative prise par les deux Chambres, et cherchera à faire le plus tôt possible de l'amélioration du sort du clergé un fait accompli.

Parmi les réformes qui s'imposent, la réforme de l'instruction publique était celle qui présentait le caractère le plus urgent.

Vous aurez à examiner, pour le moment, les projets suivants :—

1. La Loi pour l'organisation de l'Administration Centrale et du contrôle de l'instruction ;
2. La Loi pour l'organisation de l'enseignement primaire et des écoles normales destinées à former les instituteurs primaires ;
3. La Loi destinée à assurer la construction de locaux pour les écoles primaires.

Lorsque les bases de l'enseignement auront été ainsi fondées, nous procéderons à la réforme, tout aussi nécessaire, de l'enseignement secondaire supérieur, ainsi que de l'enseignement privé.

La nécessité de certaines réformes à introduire dans l'administration a attiré depuis longtemps l'attention générale. Mon Gouvernement vous présentera, dès le commencement de la Session, les projets de Lois destinés à améliorer aussi bien l'Administration Centrale que celle des districts, en vue de les mettre au niveau des besoins qui se font sentir de plus en plus.

Vous aurez à vous occuper ainsi des projets de Lois pour la révision des Lois Départementales et Communales, pour la réorganisation de la police urbaine, et du corps des sergents de ville, pour la création d'un corps spécial de gendarmerie rurale en vue d'assurer plus d'ordre et de régularité dans les services administratifs.

Mon Gouvernement cherchera à établir définitivement par une loi un service de poste rurale. Il vous présentera aussi plusieurs modifications à la Loi Sanitaire actuelle.

Il sera prévu des crédits pour la création de nouveaux hôpitaux ruraux et de deux hospices centraux.

Mon Gouvernement assurera l'application aussi rapide que possible de la Loi de Vente des Domaines de l'État.

Constatons, dès maintenant, qu'il a été déjà vendu en petits lots 183 terres de l'État à 19,713 paysans.

D'un autre côté, les plans de 188 autres terres ont été levés ; ces

terres seront vendues dans le courant de cet hiver même, de sorte que 23,341 autres paysans deviendront, sous peu, propriétaires.

Nos écoles d'agriculture, des métiers, et du commerce, fréquentées par un nombre toujours croissant d'élèves, sont devenues insuffisantes.

L'extension, le complément, et l'amélioration de l'enseignement professionnel sont, par conséquent, vivement sentis, et mon Gouvernement vous présentera des projets de lois dans ce sens.

L'amélioration et le développement de l'élevage du bétail feront l'objet d'une loi spéciale, que mon Gouvernement s'empressera de vous soumettre.

La nécessité de garantir aux campagnes une bonne justice a préoccupé et préoccupe, à juste titre, tous les esprits. Dans cet ordre d'idées, deux besoins se faisaient sentir davantage : celui de rapprocher le plus le Magistrat du justiciable, et celui d'élever le plus possible le niveau du personnel de la Justice de Paix. Le projet de Loi que mon Ministre de la Justice vous présentera, dès le début de cette Session, a pour but de répondre à ce double besoin.

Plusieurs autres réformes s'imposent dans cette branche, et, plus spécialement, la révision d'une partie de nos Codes, pour mettre fin, entre autres, à certaines controverses interminables qui rendent souvent si douteux le sort d'un procès.

Les travaux publics ont subi un développement considérable à la suite des crédits que vous avez votés à mon Gouvernement, avec une patriotique générosité ; 65 kilom. de chemins de fer nouvellement construits seront mis en exploitation cette année même, et 300 autres sont en construction.

De grandes améliorations ont été également accomplies sur les lignes existantes, en les dotant du matériel roulant nécessaire, dont l'absence était si vivement sentie par le passé.

Parmi les travaux importants qui sont encore à réaliser, je mentionnerai le développement de la gare de Bucarest, la création des ateliers de la gare de Iassi, l'exécution des lignes de jonction avec l'Empire Austro-Hongrois, que les Chambres ont voté dans la Session Extraordinaire de cette année, ainsi que la ligne Craïova-Bucarest, par Caracal, destinée à raccourcir la route entre les différents centres de l'Europe et l'Orient ; toutes choses qui contribueront de beaucoup à l'amélioration de notre réseau de chemins de fer, ce puissant outil de notre développement économique.

Des lois destinées à réglementer le régime des eaux et à permettre l'achèvement à court terme des chaussées départementales et communales vous seront également présentées dans le courant de cette Session.

La mise en exploitation des entrepôts et des docks de Galatz et

de Braïla, qui s'est effectuée ce mois, donnera un essor plus grand encore à nos transactions commerciales, et rend la construction rapide des chaussées plus impérieuse.

Le développement qu'ont pris les travaux publics dans ces derniers temps exige une nouvelle organisation du Ministère des Travaux Publics et du Corps Technique sur des bases plus larges. Toutes ces réformes font l'objet de lois spéciales qui vous seront soumises sous peu, et dont l'une sera exclusivement consacrée à la modification de la loi actuelle d'exploitation des chemins de fer.

Les études pour le port de Constanza se poursuivent avec activité, et nous espérons que les travaux pourront commencer au printemps.

Les lois militaires de grande importance que vous avez votées dans la session de printemps ont été appliquées, et les réformes qu'elles ont introduites dans l'organisation de l'armée peuvent être considérées comme réalisées; nous avons pu, cette année même, exécuter les concentrations d'automne avec les nouveaux régiments, et l'appel des réserves s'est effectué avec la facilité prévue.

La question importante du choix de l'arme à répétition et à petit calibre est résolue. Nous pourrons donc maintenant user du crédit voté par les Corps Législatifs, et je suis convaincu que, dans votre élan patriotique, vous ne refuserez rien de ce qui sera nécessaire pour doter toute notre armée de cette arme perfectionnée.

Le Gouvernement vous présentera plusieurs lois militaires pour améliorer notre cadre de sous-officiers, pour renforcer l'institution des officiers de réserve, et pour assurer à l'armée un bon corps d'état-major.

L'armée Roumaine a toujours trouvé auprès de la représentation nationale l'amour et l'appui dont elle a besoin pour progresser, et je suis certain que cet appui ne lui fera pas non plus défaut en ce moment.

MM. les Sénateurs, MM. les Députés,

Ainsi que vous le voyez, un grand champ d'activité s'ouvre devant vous, et un grand nombre de réformes n'attendent, pour passer dans le domaine des faits, que votre concours éclairé.

Quand un si grand nombre de réformes frappent à la porte, quand tant d'intérêts vitaux pour le pays sollicitent toute l'attention des représentants de la nation, il y a plus que jamais lieu à une union étroite de tous dans une seule pensée; l'amélioration du présent, et la préparation d'un avenir qui réponde aux aspirations légitimes de notre chère patrie.

Que Dieu bénisse vos travaux.

La Session ordinaire des Corps Législatifs est ouverte.

CAROL.

BRITISH ORDER IN COUNCIL, making Regulations as to the Removal and Return of Prisoners and Criminal Lunatics under "The Colonial Prisoners Removal Act, 1884."*—Windsor, December 13, 1889.

At the Court at Windsor, the 13th day of December, 1889.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

Lord President.

Sir William Hart-Dyke, Bart.

Earl of Coventry.

Mr. Ritchie.

Lord Morris.

HER Majesty, by virtue and in exercise of the powers in this behalf vested in her by "The Colonial Prisoners Removal Act, 1884," is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows:—

The following Regulations are hereby made as to the removal and return of prisoners and criminal lunatics under the said Act:

1. Every prisoner removed under the said Act from a British possession to the United Kingdom for the purpose of undergoing the residue of a sentence involving confinement in a prison combined with hard labour shall, in the United Kingdom, be dealt with as follows, that is to say:—

If the original period of his sentence did not exceed two years, in the same manner as if he had been sentenced in the United Kingdom to imprisonment with hard labour for the same period;

And if the original period of his sentence exceeded two years, in the same manner, as nearly as may be, as if he had been sentenced in the United Kingdom to penal servitude for the same period.

2. Every prisoner removed under the said Act from one British possession to another British possession for the purpose of undergoing the residue of a sentence shall in such last-mentioned British possession be dealt with in the same manner as if he had there been sentenced to such punishment authorized by the law thereof as, in the opinion of the Secretary of State signing the order of removal, shall most nearly correspond to the punishment to which he was sentenced in the first-mentioned British possession, and for the same period.

3. The Forms in the Schedule to this Order or Forms to the

C. L. PEEL

SCHEDULE referred to in the foregoing Order in Council.

I.—Order of Removal.

"COLONIAL PRISONERS REMOVAL ACT, 1884."

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State, this day of , 18 .

[And I, _____, the Governor (or Lieutenant-Governor, or Officer administering the Government) of the Colony (or Presidency, or _____) of _____, with the advice of the Executive Council of the said _____]

Colony (or Presidency, or _____), hereby concur in the foregoing order of removal.]

As witness my hand [our hands], this _____ day of _____, 18 _____.

II.—Order for the Return of a Prisoner to a British Possession.

"COLONIAL PRISONERS REMOVAL ACT, 1884."

WHEREAS *A. B.* was on the _____ day of _____ convicted before the _____ Court of _____ of the crime [or offence] of _____, and sentenced to penal servitude [or imprisonment, or, as the case may be] for the term of _____ years [or for life].

And whereas the said *A. B.* has been removed, under "The Colonial Prisoners Removal Act, 1884," from the Colony [or Presidency, or _____] of _____ to _____, and is now undergoing his said sentence in the United Kingdom [or the Colony (or Presidency, or _____)] of _____.

Now I, _____, [with the advice of the Executive Council of the said Colony (or Presidency, or _____)] of _____ hereby, in pursuance of the said Act, order that the said *A. B.* shall be returned to the said Colony [or Presidency, or _____] of _____, there to undergo the residue [or for the purpose of being there discharged at the expiration] of his said sentence.

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State [or Governor (or Lieutenant-Governor, or Officer administering the Government) of the Colony (or Presidency, or _____)] of _____, this _____ day of _____, 18 _____.

III.—Warrant for Removal of a Prisoner.

"COLONIAL PRISONERS REMOVAL ACT, 1884."

To *C. D.*, the keeper of the _____ Prison, and to *E. F.* and *G. H.*

WHEREAS an order has been made under "The Colonial Prisoners Removal Act, 1884," by one of Her Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony [or Presidency, or _____] of _____ [and the Government of the Colony (or Presidency, or _____)] of _____, for the removal of *A. B.*, a prisoner now in the custody of you, the said *C. D.*, under a sentence of penal servitude [or imprisonment, or, as the case may be] for the term of _____ years from the day of _____ [or for life], to the United Kingdom [or to the Colony (or Presidency, or _____)] of _____, there to undergo the residue of the said sentence.

Now I do hereby, in pursuance of the said Act, order you, the said *C. D.*, to deliver the body of the said *A. B.* into the custody of the said *E. F.* and *G. H.*, or one of them; and I do hereby, in further pursuance of the said Act, authorize you, the said *E. F.* and *G. H.*, or either of you, to receive the said *A. B.* into your custody, and to convey him to the United Kingdom [or to the Colony (or Presidency, or _____)] of _____, and to deliver him

to such person or persons as shall be empowered by one of Her Majesty's Principal Secretaries of State [or of the Governor of the said Colony (or Presidency, or)] to receive him for the purpose of giving effect to the said order of removal.

And for so doing this shall be your warrant.

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State [or Governor of], this day of 18 .

IV.—*Warrant for Return of a Prisoner to a British Possession.*

"COLONIAL PRISONERS REMOVAL ACT, 1884."

To C. D., the Governor [or] of the Prison,
and to E. F. and G. H.

WHEREAS A. B. having been sentenced by the Court of [] to penal servitude [or imprisonment or, as the case may be] for the term of [] years from the day of [or for life], has under an order duly made under "The Colonial Prisoners Removal Act, 1884," been removed to the United Kingdom [or to the Colony (or Presidency, or) of], and is now in the custody of you, the said C. D., undergoing his said sentence.

And whereas an order has been made under the said Act by one of Her Majesty's Principal Secretaries of State [or by the Government of the said Colony (or Presidency, or) of], for the return of the said A. B. to the said Colony [or Presidency, or] of [], there to undergo the residue [or for the purpose of being there discharged at the expiration] of his said sentence.

Now I do hereby, in pursuance of the said Act, order you the said C. D. to deliver the body of the said A. B. into the custody of the said E. F. and G. H., or one of them; and I do hereby, in further pursuance of the said Act, authorize you the said E. F. and G. H., or either of you, to receive the said A. B. into your custody, and to convey him to the Colony [or Presidency, or] of [], and to deliver him to such person or persons as shall be empowered by the Governor of the said Colony [or Presidency, or] to receive him for the purpose of giving effect to the said order of return.

And for so doing this shall be your warrant.

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State [or Governor of], this day of 18 .

V.—*Order of Removal of a Criminal Lunatic.*

"COLONIAL PRISONERS REMOVAL ACT, 1884."

WHEREAS A. B. is in custody in the Colony [or Presidency, or] of [], as a criminal lunatic having been charged with the offence of [], and found to have been insane at the time of such offence [or to be unfit on the ground of insanity to be tried for such offence] [or having been convicted of the offence of [], and sentenced to penal

servitude (or imprisonment, or) for the term of
 years from the day of , 18 (or for life), and
 afterwards certified (or lawfully proved) to be insane.

And whereas it is likely that the life [or health] of the said *A. B.* will be
 endangered [or permanently injured] by further detention in custody in the
 said Colony [or Presidency, or].

[Or the said *A. B.* belonged at the time of the said offence to the Royal
 Navy (or to Her Majesty's regular military forces).]

[Or the said offence was committed wholly (or partly) beyond the limits of
 the said Colony (or Presidency, or).]

[Or by reason of there being no asylum in the said Colony (or Presidency,
 or), in which the said *A. B.* can be properly or conveniently
 detained and dealt with as a criminal lunatic, his removal to the United
 Kingdom (or to the Colony, or Presidency, or of)
 is expedient.]

[Or the said *A. B.* belongs to a class of persons who, under the law of the
 said Colony (or Presidency, or) are subject to removal under
 "The Colonial Prisoners Removal Act, 1884."]

Now I do hereby, in pursuance of "The Colonial Prisoners Removal Act,
 1884," with the concurrence of the Government of the said Colony [or Presi-
 dency, or] [and the Government of the Colony (or Presidency,
 or) of] order that the said *A. B.* be removed
 to the United Kingdom [or to the Colony (or Presidency, or)
 of], there to be detained in custody as a criminal lunatic, and
 dealt with in the same manner as if he had there become a criminal lunatic.

Given under the hand of the Undersigned, one of Her Majesty's Principal
 Secretaries of State, this day of , 18 .

I, , the Governor [or Lieutenant-Governor, or Officer
 administering the Government] of the Colony [or Presidency, or]
 of , with the advice of the Executive Council of the said
 Colony [or Presidency, or].

[And I, , the Governor (or Lieutenant-Governor, or Officer
 administering the Government) of the Colony (or Presidency, or)
 of , with the advice of the Executive Council of the said
 Colony (or Presidency, or) hereby concur in the foregoing
 order of removal.

As witness my hand [our hands] this day of , 18 .

VI.—Order for the Return of a Criminal Lunatic to a British Possession.

"COLONIAL PRISONERS REMOVAL ACT, 1884."

WHEREAS *A. B.* having been in custody in the Colony [or Presidency, or
] of as a criminal lunatic, has been removed,
 under "The Colonial Prisoners Removal Act, 1884," to, and is now in custody
 as a criminal lunatic in, the United Kingdom [or the Colony (or Presidency,
 or) of].

[And whereas I (or the Government of the said Colony, or Presidency, or
 , of) consider that the said *A. B.* has become
 sufficiently sane to be tried for the offence with which he was charged in the
 said Colony (or Presidency, or) of].

Now I [with the advice of the Executive Council of the said Colony (or Presidency, or) of], hereby, in pursuance of the said Act, order that the said *A. B.* be returned to the said Colony [or Presidency, or] of , there to be dealt with in the same manner as if he had not been removed therefrom.

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State [or the Governor (or Lieutenant-Governor, or Officer administering the Government) of the Colony (or Presidency, or) of], this day of . 18 .

VII.—*Warrant for Removal of a Criminal Lunatic.*

"COLONIAL PRISONERS REMOVAL ACT, 1884."

To *C. D.* the keeper of Lunatic Asylum, and to *E. F.* and *G. H.*

WHEREAS an order has been made, under "The Colonial Prisoners Removal Act, 1884," by one of Her Majesty's Principal Secretaries of State, with the concurrence of the Government of the Colony [or Presidency, or] of [and the Government of the Colony (or Presidency, or) of], for the removal of *A. B.*, a criminal lunatic now in the custody of you, the said *C. D.*, to the United Kingdom [or the Colony (or Presidency, or) of], to be there dealt with in the same manner as if he had become a criminal lunatic in the United Kingdom [or the said Colony (or Presidency, or) of].

Now I do hereby, in pursuance of the said Act, order you, the said *C. D.*, to deliver the body of the said *A. B.* into the custody of the said *E. F.* and *G. H.*, or one of them; and I do hereby, in further pursuance of the said Act, authorize you, the said *E. F.* and *G. H.*, or either of you, to receive the said *A. B.* into your custody, and to convey him to the United Kingdom [or to the Colony (or Presidency, or) of], and to deliver him to such person or persons as shall be empowered by one of Her Majesty's Principal Secretaries of State [or the Governor of the said Colony (or Presidency, or)] to receive him for the purpose of giving effect to the said order of removal.

Given under the hand of the Undersigned, one of Her Majesty's Principal Secretaries of State [or the Governor of], this day of , 18 .

VIII.—*Warrant for Return of a Criminal Lunatic to a British Possession.*

"COLONIAL PRISONERS REMOVAL ACT, 1884."

To *C. D.*, the of the Lunatic Asylum, and to *E. F.* and *G. H.*

WHEREAS *A. B.*, having been in custody as a criminal lunatic in the Colony [or Presidency, or] of , has under an order duly made under "The Colonial Prisoners Removal Act, 1884," been removed

to the United Kingdom [or to the Colony (or Presidency, or)
of], and is now in the custody of you, the said *C. D.*, as a
criminal lunatic.

And whereas an order has been made under the said Act by one of Her
Majesty's Principal Secretaries of State [or by the Government of the said
Colony (or Presidency, or) of] for the
return of the said *A. B.* to the said Colony [or Presidency, or]
of

Now I do hereby, in pursuance of the said Act, order you the said *C. D.* to
deliver the body of the said *A. B.* into the custody of the said *E. F.* and *G. H.*,
or one of them; and I do hereby, in further pursuance of the said Act, authorize
you the said *E. F.* and *G. H.*, or either of you, to receive the said *A. B.* into
your custody, and to convey him to the Colony [or Presidency, or]
of , and to deliver him to such person or persons as shall be
empowered by the Governor of the said Colony [or Presidency, or]
to receive him for the purpose of giving effect to the said order of return.

And for so doing this shall be your warrant.

Given under the hand of the Undersigned, one of Her Majesty's Principal
Secretaries of State [or Governor of], this day
of , 18 .

*CORRESPONDENCE between Great Britain and Portugal,
respecting Events in East Africa (Seizure of the British
vessel James Stevenson at the Mouth of the River Ruo in
July 1890, and Arrest of her Passengers and Crew; Release
of the Vessel in August 1890; Arrest and Imprisonment of
the Captain of the James Stevenson at Vicenti, on the
Zambezi, in November 1890; British Claim against the
Portuguese Government; Seizure of the Countess of Car-
narvon and of other British Vessels by the Portuguese
Authorities; Negotiation of the Treaty between Great
Britain and Portugal of June 11, 1891; &c.).—1890, 1891.*

No. 1.—*Vice-Consul Smith-De la Cour to the Marquess of Salisbury.*
—(Received August 26.)

MY LORD,

Delagoa Bay, July 26, 1890.

I HAVE the honour to inclose herewith a despatch, together with
its inclosures, sent to me by Vice-Consul Ross, of Quilimane, for
transmission to your Lordship.

I have, &c.,

The Marquess of Salisbury.

E. W. SMITH-DE LA COUR.

(Inclosure 1.)—Vice-Consul *Ross* to the Marquess of Salisbury.

MY LORD,

Quilimane, July 18, 1890.

I HAVE the honour to inform your Lordship that last night five Europeans, employés of the African Lakes Company (Limited), presented themselves to me here, and informed me that they, with twenty-seven natives forming the crew of the British steamer *James Stevenson*, of Glasgow, the property of the African Lakes Company (Limited), of Glasgow, had been arrested by the order of Lieutenant João Coutinho, Military Governor of the Shiré, and sent down to the coast as prisoners, and that the steamer had been seized and detained in the River Ruó by the same officer under the following circumstances :—

On the 6th July the steam-ship *James Stevenson*, having on board of her the above-mentioned officers and crew, and in addition the following passengers, Mr. Joseph Thomson and J. A. Grant, and fifty-five carriers of the British South Africa Company, Rev. L. H. Frere, G. A. Sheriffs, and seven native teachers of the Universities Mission, Dr. G. Steel, and two others of the Free Church of Scotland Mission, and two employés of the African Lakes Company (Limited), steamed up the Shiré near the opening of the River Ruó. As the steamer approached the boundary, she whistled to warn the Portuguese officials of her approach in case they should wish to search the vessel as usual. Not receiving any challenge, the vessel passed on above the Ruó, hoisting the British ensign after passing the boundary, and made fast at the public landing-place on the left bank of the Shiré north of the Ruó, and the passengers began to go ashore. At this moment, and not till then, three pieces were fired one after the other in the Portuguese camp, and soon after a boat with a Portuguese official came alongside, and the steamer was boarded by this official, who demanded that the passengers' passports and ship's papers should be exhibited to him, and that he should be allowed to search the ship. He was refused, on the ground that the vessel was in British water, upon which he demanded that the vessel should be taken back into Portuguese waters and there searched. This was promptly refused, and the official left, threatening to arrest the steamer and crew as soon as she should return to Portuguese waters.

The landing of passengers and the discharging of cargo was proceeded with and concluded on the following day, and on a second demand being made by the same official, accompanied by an interpreter, the passports were offered to him as a favour, but he refused to look at them under these circumstances.'

On the 10th July, about 1 o'clock in the afternoon, steam was

got up, and the *James Stevenson*, flying the ensign, went down stream, lowering her flag as soon as the boundary was passed.

Almost before the steamer could fairly be said to be in Portuguese waters, a Portuguese gun-boat lying in the Shiré fired two shots across her bows, first with blank cartridge and then with ball, and the steamer at once dropped anchor.

She was, after a little delay, boarded by the Commander of the gun-boat *Cuama*, and the ship and crew formally arrested as Inclosure 2 shows, without reason alleged, and the officers and crew were informed that they must go to Quilimane on board of the gun-boat, to which they were without delay transferred and carried down to Vicenti, and thence to Quilimane. The *James Stevenson*, which had no cargo, was then taken up to the Ruó and moored opposite the Portuguese camp, and under the Portuguese guns, and her holds sealed up.

Up to the present time, and in spite of the public declarations of your Lordship, it has been the custom for the captain of the *James Stevenson* to allow his steamer to be searched south of the Ruó under protest, and on the exhibition of force; but on this occasion, as no demand was made south of the Ruó, the vessel passed on without stopping.

Prior to starting for the coast, the captain of the steamer wrote to the Governor of the Shiré, requesting him to give him a passport, and was refused. I inclose translation of the Governor's reply; further, it was verbally declared that no employé of the African Lakes Company would be allowed to pass down the river.

In support of what I have stated, I inclose herewith copy of a letter from Mr. Joseph Thomson, F.R.G.S., and of a despatch from Mr. Hugh C. Marshall, police officer at the Ruó and guardian of the natives there.

On the arrival of the five men here, I at once communicated with the local authorities as per the inclosed copy despatch, but, in the absence of the Governor, nothing has been done except to put all in confinement.

I regret that I have not sooner been able to communicate the fact which members of the party above referred to gave me, that since the arrival of Senhor Coutinho at the Ruó from Impassa about a month ago, the attitude of the Portuguese towards us and our people has been excessively hostile and insolent. Raiding parties have been frequently sent to the right bank of the Shiré and penetrated far north of the Ruó, inoffensive natives of the Ruó bank have been frequently fired on, one man killed and several injured, and on the present occasion a caravan of men with goods belonging to the Rev. L. H. Frere was fired on, and the men caused to run away.

Everything has been done to terrify the people, and induce them to give up allegiance to ourselves. The efforts have been so far successful that Chilomo village is once more almost abandoned, and the surrounding country will ere long be in as desolate a condition as it was during the Portuguese occupation; and all our mail and cargo business is completely at a standstill, not only on account of the seizure of the steamer, but also because the natives, terrified by the threats and rough handling they are subjected to when in our service, are refusing to take employment with us on any consideration.

I have cabled the gist of this despatch to Her Majesty's Acting Consul at Mozambique, but feel in duty bound to communicate the facts to your Lordship, without incurring the delay of waiting three weeks for a mail going northwards. I forward this through Mr. Vice-Consul de la Cour, of Delagoa Bay, to insure its safe delivery.

I have, &c.,

The Marquess of Salisbury.

A. CARNEGIE ROSS.

(Inclosure 2.)—*Writ arresting Steam-ship James Stevenson and Crew.*

(Translation.)

By order of his Excellency the Military Governor of the Shiré, I have arrested the steamer *James Stevenson*, of the African Lakes Company (Limited), and I have sealed the six holds, and I have arrested the crew, to go down to Vicenti village on board of the Portuguese gun-boat.

Rio Shiré, July 10, 1890.

MANOEL BARBA DE MENEZES,
Commandante de Cuama.

(Inclosure 3.)—*The Military Governor of Shiré to Mr. Hillier.*

(Translation.)

SIR,

Villa Coutinho, July 7, 1890.

IN reply to your letter, I have to inform you that Captain Chalmers will immediately be detained as soon as he leaves neutral waters and enters Portuguese, as well as the others of the crew, &c.

JOÃO A. COUTINHO, *Military Governor,*
Lieutenant of the Navy of Portugal.

(Inclosure 4.)—*Letter from Mr. J. Thomson, F.R.G.S., July 7, 1890.*

(Inclosure 5.)—*Mr. Marshall to Vice-Consul Ross, July 8, 1890.*

(Inclosure 6.)—*Note of Protest to the Governor of Quilimane.*

(Translation.)

THERE having to-day presented themselves in this Consulate five subjects of Her Britannic Majesty, who informed me that they were sent here as prisoners by order of the Military Governor of the Shiré, and I having seen the writ of apprehension, which does not give any reason whatever for this despotic proceeding, I protest against the imprisonment of these men and their people, and I warn and beg you to consider well what may be the result of so harsh and apparently inexplicable an act.

In the case of your having received information in regard to this affair, I request you to supply me with it.

God guard your Excellency, &c.

July 18, 1890.

A. CARNEGIE ROSS.

No. 4.—*Acting Consul Buchanan to the Marquess of Salisbury.*—
(Received September 22.)

(Extract.)

Chilomo, Ruo, July 23, 1890.

I HAVE the honour to inform you that the African Lakes Company's steamer *James Stevenson*, with all her crew, both English and native, while proceeding on her way to the Zambezi from Chilomo on the 10th instant, was arrested at the confluence of the Ruo with the Shiré River, by order of Lieutenant Coutinho, Military Governor of the Shiré.

I arrived here, at Chilomo, yesterday, with the purpose of endeavouring to arrange for the release of the *James Stevenson*.

Commander Coutinho has, I find, left the camp here for Mlolo's country, about two days' journey inland, so that a personal interview with him is almost impossible. I have, however, dispatched a letter to him, a copy of which I inclose, pointing out that this extraordinary proceeding can only cause trouble and loss to the Portuguese; that the agents of the African Lakes Company had infringed no Portuguese law; that they were perfectly justified in refusing to submit to having the steamer searched and their cargo overhauled above the Ruo, and requesting that the steamer be released and returned to the Shiré River, and that an order be sent for the immediate release of her crew, both English and Makololo.

Should my request be complied with, it is my intention to

endeavour to send the *James Stevenson*, with all possible speed, to the Zambezi, so as to render service at the Chinde mouth, where, I am informed, two gun-boats for the rivers and a large quantity of goods are even now expected.

With regard to the arrest of the *James Stevenson*, I cannot help thinking that Commander Coutinho has altogether exceeded his instructions.

The *James Stevenson*, on arriving opposite the Portuguese camp, gave them due warning, but, finding no Portuguese official present to search the steamer or request a *visa* of the passengers' passports, the captain kept going ahead, and anchored at the public landing-place at Chilomo, within the British Protectorate.

I would call your Lordship's special attention to the fact that for several trips previously no search was made on board the steamer, or any request made for passports by Portuguese officials at the Ruo, and the same day on which the steamer passed no notice whatever was taken of boats and canoes belonging to other parties.

I have further the honour to bring to your Lordship's notice the fact that the arrest of the *James Stevenson* at the present juncture is a serious blow to British prestige here.

The Makololo have seen a British steamer arrested and her crew made prisoners and carried away on board the Portuguese gun-boat, while we are powerless to do anything.

I am informed that communication with the Lower Zambezi will only be allowed after having taken a passport from the Portuguese, which they doubtless mean to put forward as evidence of Portuguese sovereignty in the Lower Shiré and Zambezi Rivers.

In order to get mails to the coast, I may have to advise a member of the Universities Mission to comply with Portuguese demand and take a passport, but this I shall do under protest.

The Portuguese gun-boat *Shiré* lies at anchor at the confluence of the Ruo with the Shiré. The Portuguese camp is on the south bank of the Ruo; several cannon are in position on that river. The *James Stevenson* is anchored mid-stream in the Ruo, having a machine-gun on her upper deck, and a guard of soldiers.

The Marquess of Salisbury.

JOHN BUCHANAN.

(Inclosure.)—Acting Consul Buchanan to Lieutenant Coutinho.

SIR,

Chilomo, July 22, 1890.

I HAVE the honour to address your Excellency in connection with the arrest of the *James Stevenson* and her crew, which act took place by your orders on the 10th instant on an international highway, the Shiré River.

I would request your Excellency to inform me as to the grounds upon which you have thought it necessary to take this most extraordinary proceeding, a proceeding which, I feel bound to say, can only cause trouble and loss to the best interests of the Portuguese.

So far as I am aware, the agents of the African Lakes Company, in acting as they did, infringed no Portuguese law. While on their upward journey on the 6th instant they duly warned you of their approach, and I maintain they were perfectly justified in refusing to comply with the demands of his Excellency Senhor Menezes, that they should allow their cargo to be searched while anchored at the public landing-place at Chilomo, above the confluence of the Ruo, or to fall astern to a point below the confluence of the Ruo for that purpose.

Apart from the fact that Her Majesty's Government have never acknowledged the right of the Portuguese to search British steamers on this international highway, I would point out to your Excellency the serious loss your action entails upon British subjects in Nyasaland, by being thus deprived of their principal means of transport at the present time.

Her Majesty's Government, I feel certain, cannot look upon this action of yours as other than insulting to the British, and exceedingly arbitrary, and in my mind there exists no doubt as to how the matter will end.

Considering, however, that negotiations regarding the free navigation of the Zambezi and Shiré and the disputes as to territorial claims between the Portuguese and British in East Central Africa are being amicably settled, I have the honour to request your Excellency to reconsider the step you have taken, and issue orders that the *James Stevenson* be taken from the Ruo River and anchored at the public landing-place at Chilomo, on the Shiré, and also an order for the immediate release of the crew of the *James Stevenson*, both English and Makololo subjects of Her Britannic Majesty, who, I maintain, have been illegally arrested.

I think it well to warn your Excellency that, should this request not be complied with, the consequence may be such as to cause your Excellency seriously to regret the step you have taken.

I have, &c.,

Lieutenant Coutinho.

JOHN BUCHANAN.

No. 5.—*Acting Consul Buchanan to the Marquess of Salisbury.*—
(Received September 22.)

(Extract.)

Chilomo, July 31, 1890.

WITH reference to my despatch to your Lordship of the 23rd instant, I have the honour to inclose a copy of a letter which I have

this day received from Commander Coutinho in reply to my letter to him of the 22nd instant.

The arrest of the *James Stevenson* most seriously affects every one in Nyasaland.

The Marquess of Salisbury.

JOHN BUCHANAN.

(Inclosure.)—*Lieutenant Coutinho to Acting Consul Buchanan.*

(Translation.)

SIR,

Chindina, July 30, 1890.

I HAVE received your communication of the 22nd instant, to which I will reply, in the first place, that it contains no argument of a nature to show that the seizure of the *James Stevenson* was unjustifiable, for you start from a false and inadmissible basis, and endeavour to convert the Shiré into a free highway, under I cannot tell what unknown Laws or Conventions.

This cannot be attributed to ignorance, for Messrs. Thomson, Grant, and Frere obtained passports at Quilimane, and I have in my possession a request for a passport for returning to the Vicenti, and one for Mr. Chalmers of a date subsequent to the notice given to him on the 6th July to produce the papers and passports of nineteen passengers, subjects of Her Britannic Majesty, coming from Quilimane, of whom four had obtained passports and fifteen had not; which persons, besides the fact of breaking the laws of Portugal, might have been criminals or fugitives.

I do not know whether the Government of Her Britannic Majesty does or does not acknowledge any right of serving in the waters of the Shiré the notices and carrying out the searches which are provided for by international law; all the more in territories the possession of which has never been in discussion between us. I know nothing about it. I need only tell you that the laws of Portugal have so ordained, and that I will defend those laws with all the means in my power and with all my energies, and that I am now willing to believe that it was, perhaps, ignorance that led you to treat those laws with disrespect.

When you complain that Her Gracious Majesty's subjects are deprived of the principal means of communicating with Nyasaland, you are hardly justified in blaming the commander and crew of the steamer for want of energy and willingness in obeying the laws of Portugal. As to the allegation that Her Britannic Majesty's Government holds the action of the Portuguese authorities to be an insult to English subjects (although your action is much more an insult), I do not hesitate to assure you that not only the Government of Portugal, but other civilized Governments also, would hold your

acts to be much more vexatious to us, if I did not endeavour to repress them by law.

I would add that the matter has been placed in the hands of the judicial authorities at Quilimane, and that your advice that it should be reconsidered is so extraordinary that it surprises me.

If I arrested the *James Stevenson* when navigating the Shiré for the south without having asked the Portuguese authorities for the necessary legal documents and without having shown them on her journey up the Ruó, I did so in the name of the law; and that being so, I could hardly liberate the captives and surrender the steamer without making myself an accomplice in the infraction of the law which they committed.

I regret extremely that the expressions you have used in the name of your Government should be somewhat arrogant, but I need hardly tell you that such arrogance will not prevent us from doing our duty, and that we mean always to guard our legitimate rights.

In conclusion, I regret that you have not a perfect knowledge of Portuguese, and I regret very much that I know but little English.

I am, &c.,

JOÃO DE COUTINHO,

J. Buchanan, Esq.

Military Governor of the Shiré.

No. 6.—*Sir G. Petre to the Marquess of Salisbury.*—(Received September 29.)

(Extract.)

Lisbon, September 25, 1890.

I HAVE the honour to inclose the copy of a note which I have this day addressed to the Portuguese Minister for Foreign Affairs, informing him, as directed by your Lordship, respecting the seizure in July last of the African Lakes Company's steamer *James Stevenson*, and the arrest and conveyance to Quilimane of her officers and crew.

The Marquess of Salisbury.

GEORGE G. PETRE.

(Inclosure.)—*Sir G. Petre to Senhor Ribeiro.*

(Extract.)

Lisbon, September 25, 1890.

THE official Reports received by Her Majesty's Government respecting the arrest of the crew of the *James Stevenson*, and the seizure and detention of the vessel by the order of Lieutenant Coutinho on the 10th July last, state that that vessel steamed up the Shiré towards the confluence of the Ruó on the 6th of the month, and that, not receiving any challenge from the Portuguese

officials, she passed on above the Ruo and made fast at the landing-place on the left bank of the Shiré north of the Ruo, when the passengers went ashore. It was not until this had taken place that three shots were fired from the Portuguese camp, and immediately afterwards a boat, with a Portuguese official, went alongside the *James Stevenson*. A demand made by this official, that the passengers' passports and ship's papers should be exhibited to him, was promptly and properly refused, upon which he left, threatening to arrest the steamer and crew as soon as she returned to below the Ruo. A second demand having been made on the following day by the same official, accompanied by an interpreter, an offer was made to show him the passports as a matter of favour, which he declined. All this occurred above the Ruo.

On the 10th July the *James Stevenson* got up steam, and proceeded down the river. She had barely crossed the mouth of the Ruo when a Portuguese gun-boat lying in the Shiré fired two shots across her bows, first with blank cartridge and then with ball, and the steamer immediately dropped anchor. She was then boarded by the Commander of the gun-boat *Cuama*, who formally seized the ship, sealed up the holds, and arrested the officers and crew, who were at once transferred to the Portuguese gun-boat, and conveyed down the river to Vicenti, and from thence to Quilimane, where they were kept in confinement.

Senhor Ribeiro.

GEORGE G. PETRE.

No. 11.—*Acting Consul Buchanan to the Marquess of Salisbury.*—
(Received October 24.)

MY LORD,

Chilomo, August 28, 1890.

WITH reference to my despatch to your Lordship of the 23rd July last, I have the honour to inform your Lordship that I have this afternoon had an interview with the Governor of Quilimane, who arrived at the Portuguese camp here on the evening of the 26th instant.

His Excellency informed me that he had been instructed by his Government to hand over the African Lakes Company's steamer *James Stevenson* to the captain or traffic manager, who alone could certify as to her condition when arrested. As both of these gentlemen accompanied me, no time was lost in having these instructions carried out. The captain and traffic manager of the *James Stevenson* handed the Governor a receipt, certifying that the steamer was in no worse condition than that in which she was when arrested.

His Excellency was most anxious that there should be no Makololo demonstration on the steamer's being brought round to

the Shiré bank. I assured him that I would respect his wishes on this point.

In reply to questions put by me, the Governor informed me that it would still be necessary for parties proceeding below the Ruó to obtain a pass and licence to carry arms from the officer in charge at the Portuguese camp, and also that parties proceeding inland would have to submit to having their cargo searched and their pass examined before leaving Portuguese waters for neutral waters—the Shiré River above the Ruó.

During our interview his Excellency brought forward the question of Mbenje, whom he claimed to be a Portuguese subject. I was glad at having an opportunity of placing the matter before the Governor in its true light. He requested me to hand the man over to him, on the ground of his being a Portuguese subject.

This I informed him I could not do, as it would be an acknowledgment of Portuguese sovereignty over territory on the right bank of the Shiré twelve miles above the Ruó. As, however, the object for which I removed Mbenje from his own village at Ulalanje to Chilomo had been more than attained, I agreed to reinstate him in his village, on the understanding that if he and his people preferred the Portuguese to the English they would be at liberty to move down into acknowledged Portuguese territory, a privilege they are not likely to avail themselves of. This would be but fair, considering that many people have crossed into the British Protectorate from below the Ruó.

I am happy to be able to state to your Lordship that I found the Governor to be a man who takes a sensible and conciliatory view of the position, and altogether opposed to the filibustering war policy that has been so much in favour with Portuguese local officials here during the past twelve months.

Yesterday the great bulk of the Portuguese local troops were disbanded, and I trust we may now have a term of peace and quietness.

I have, &c.,

The Marquess of Salisbury.

JOHN BUCHANAN.

No. 34.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, January 7, 1891.

HER Majesty's Government are not prepared, as you have been already informed, to enter into any Agreement with Portugal of a more favourable nature to her than that concluded on the 20th August.*

The drift of events since that date will more probably render it impossible for Great Britain to make the concessions now which it was then possible to offer. Her Majesty's Government may, however, be able to assent to modifications of that Agreement on some points; but it must be on the understanding that Portugal will meet, by large concessions on her part elsewhere, any concessions which may be made to her by Great Britain.

No. 39.—Sir G. Petre to the Marquess of Salisbury.—(Received January 22.)

(Extract.)

Lisbon, January 18, 1891.

I HAVE the honour to inclose translations of a note, with its inclosure, which I received late yesterday evening from the Minister for Foreign Affairs, transmitting the Portuguese proposals for a new Treaty. Senhor du Bocage at the same time informed me in a private letter that the Memorandum which is referred to in the note, and which was to have accompanied it, would not be ready until to-morrow.

The Minister's note is not simply a transmitter. Senhor du Bocage evidently desires to place on record the contention that these proposals for a new Treaty represent only a portion of what Portugal considers to be her rights in East and Central Africa, and which she is prepared to waive partially for the sake of the future security which an amicable understanding with Great Britain will afford her.

The Marquess of Salisbury.

GEORGE G. PETRE

(Inclosure 1)—Senhor du Bocage to Sir G. Petre.

(Translation.)

SIR,

Lisbon, January 17, 1891.

ON the 20th October last the Prime Minister of Her Britannic Majesty, on receiving from the Portuguese Chargé d'Affaires a communication that His Majesty's Government was unable to have the Treaty of the 20th August ratified without modifications, informed M. L. de Soveral that he considered the Treaty as abandoned, but that he was nevertheless disposed to enter into fresh negotiations for a new Treaty.

Lamentable incidents, which are too well known for it to be necessary now to refer to them, prevented me from presenting sooner the project of this new Treaty, which I now transmit to

your Excellency in order that you may bring it to the knowledge of the British Government.

The project of Treaty, which you will receive with this note, does not represent the expression of the continuous ("nunca interrompidas") aspirations of the Portuguese nation, nor does this document even contain what the Government of His Most Faithful Majesty considers to be a sincere expression of justice and of right. The Government of Her Britannic Majesty must look upon it as a compromise, seemly for both nations, between British interests and the legitimate rights of Portugal.

The heavy sacrifice represented by such a compromise can only be justified by the necessity, which the Portuguese Government admits, of putting an end definitely to a long and painful conflict, and its only compensation will be the security against the return in African territories of the disputes and rivalries which in later years have done so much to disturb the traditional friendship between Portugal and Great Britain.

When once the boundaries which determine the Portuguese dominions in East and Central Africa are fixed by a solemn document, we shall possess a sure pledge that Her Majesty's Government will respect, and cause to be respected, our rights in the territories which are left to us, and that in this portion at least of our ancient colonial patrimony we may be able henceforth to diffuse peacefully civilization and progress.

Very vast territories which were and are ours are about to pass under the dominion of Great Britain, nor shall I stop now to justify their possession, as Her Britannic Majesty's Government has on more than one occasion declined to give heed to the arguments, founded on right, by which my predecessors have defended it.

I will refrain here from putting forward the titles which we have to much more than we now claim, although they are various and numerous. Some are based on remote facts, either derived from primitive conquests, or establishing a continuity of possession in the past century and in the first part of the present one; others are recent; many are perpetuated to the present time; and others find their expression in visible demonstrations, such as Portuguese flags flying in the "aringas" of vassal Chiefs, as tributes regularly paid to the Suzerain Power, and as taxes annually levied in the Crown fiefs. Some are arguments in favour of Portuguese sovereignty, others are proofs of effective and real dominion.

But it is useless to allege rights, as the Government of His Most Faithful Majesty is only endeavouring now to reconcile the extreme limit of its own sacrifices with the interests which Her Britannic Majesty's Government supports and protects.

This is the real point of view from which the Prime Minister of

Her Britannic Majesty should appreciate the Memorandum and project of Treaty which accompany this note.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE.

(Inclosure 2.)—Draft of Treaty.

No. 40.—*The Marquess of Salisbury to Sir G. Petre.*

SIR,

Foreign Office, January 23, 1891.

WITH reference to your despatch of the 25th September last, transmitting copy of a note in which you warned the Portuguese Government that formal claims would probably be presented to Her Majesty's Government in consequence of the seizure of the *James Stevenson* in the Shire by Portuguese officials in July last, I have to inform you that such claims have now been presented to Her Majesty's Government.

When the claim was first put forward it was assessed by the Company at 4,900*l.* This amount, however, appeared excessive, and it has been reduced to 1,450*l.*

I have now to instruct you to address a note to the Portuguese Government, making a formal demand on the part of Her Majesty's Government for that amount.

You should explain that, after careful examination, the claim has been reduced by them to the sum of 1,450*l.* from the amount originally claimed by the Company, and you should add that, if required, Her Majesty's Government are prepared to support the claim with details of the items. They have not done so in the first instance as they feel sure that the Portuguese Government will recognize the justice of the case and the moderation of the amount claimed.

I am, &c.,

Sir G. Petre.

SALISBURY.

No. 41.—*Acting Consul Churchill to the Marquess of Salisbury.*—
(Received January 24, 1891.)

MY LORD,

Mozambique, December 9, 1890.

I HAVE the honour to report, for your Lordship's information, that there has been some further difficulty on the Zambezi in connection with the *James Stevenson* steamer of the African Lakes Company, on account of that vessel flying the British flag in Portuguese waters.

While the Governor-General was at Quilimane recently, Mr. Vice-Consul Ross had an interview with his Excellency on the subject.

It appears that on the 22nd November last the steamer *James Stevenson* was at Vicenti, and the Commander of the Portuguese river gun-boat *Cuama* ordered the master of the steamer referred to to lower his flag. The master at first refused, but eventually complied with the order, as the gun-boat threatened to open fire on the vessel, and had prepared to carry this threat into effect.

The Governor-General told Mr. Ross that he had issued orders that no vessel flying British colours should be permitted to moor at any point in the waters of the Zambezi, but that now, owing to the *modus vivendi* entered into between England and Portugal, no vessels flying foreign flags in the Zambezi would be interfered with on that account.

Mr. Ross has made no complaint to this office on behalf of the African Lakes Company, so I presume they are satisfied with the Governor-General's assurances.

My only reason for communicating this incident to your Lordship is to report that the interview between the Governor-General and Mr. Ross respecting the *James Stevenson* indicates that the Portuguese authorities here intend to observe the operation of their part of the *modus vivendi*.

I have, &c.,

The Marquess of Salisbury.

W. A. CHURCHILL.

*No. 47.— Acting Consul Buchanan to the Marquess of Salisbury.—
(Received February 2, 1891.)*

(Extract.)

Chilomo, December 7, 1890.

I HAVE the honour to inclose extracts from a letter from the Manager of the African Lakes Company, giving details of high-handed proceedings of the Portuguese at Vicenti on the 22nd ultimo. I have also the honour to inclose copies of protests by the Portuguese officer in command of their gun-boat *Cuama*. The African Lakes Company's steamer left Chilomo on the 18th ultimo, flying the British ensign. On arriving at Masongwe she was hailed by a Portuguese officer, who ordered her to lower her flag, though he subsequently allowed her to proceed on the captain showing a letter from Commander Keane, of Her Majesty's gun-boats, authorizing him to fly the British merchant ensign.

At Vicenti, however, the port of destination, the Portuguese were prepared to resist what they characterized as piratical acts on the part of the English, and as soon as the *James Stevenson* arrived at the bank she was ordered to lower the flag. This the captain

refused to do, and only after being threatened with being fired into did he submit.

The Portuguese officer considered Captain Chalmers' refusal to comply with his command a breach of courtesy, and then and there arrested him, and placed him in gaol at Mopea.

Meantime, the Governor of Quilimane was communicated with, and while he ordered the immediate release of Captain Chalmers, he at the same time issued a mandate declaring the steamer and crew under arrest, that no communication with the shore would be allowed, and that she must at once leave Vicenti without disembarking or embarking any cargo whatever, and that, should they return again to Portuguese water, she would be fired upon.

On receipt of this news I hastened to Chilomo.

I have requested Cominader Keane to render what assistance he can in the matter, and to-morrow he leaves Chilomo for Vicenti with the gun-boats to inquire into the whole affair, and make sure that the Portuguese are not allowed to carry into effect their evident intention of blockading our supplies.

I have the honour to inclose a copy of a letter to the Governor of Quilimane, asking for an explanation of these unfriendly proceedings.

The Marquess of Salisbury.

JOHN BUCHANAN.

No. 53.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, February 4, 1891.

I HAVE been informed to-day by M. de Soveral that the Portuguese Government were waiting to receive counter-proposals from Her Majesty's Government.

I informed M. de Soveral, in reply, that I would communicate with you in fuller detail in regard to the railway and other commercial provisions. I said that as regarded the territorial stipulations, there were changes which appeared essential.

It is rendered necessary by the present condition of our mining population in those regions that our boundary-line should approximately follow the 33rd degree of east longitude up to the River Sabi, or that it should at least follow the watershed with which that meridian closely coincides. I added that compensation in the neighbourhood of Tété might, I thought, be given in return.

This suggestion was strongly resisted by M. de Soveral, who urged that if Mutassa were formally ceded to Great Britain by Portugal, an internal revolution would probably be the result.

No. 57.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, February 9, 1891.

I TRANSMIT herewith copies of despatches relating to the action of the Portuguese authorities on the Zambezi in regard to the navigation of the river by British vessels, and the passage of supplies to British settlers in Nyasaland.

It appears therefrom that the African Lakes Company's steamer *James Stevenson*, Captain Chalmers, flying the British flag under special permission from Commander Keane, arrived at Vicenti on the 22nd November last from Chilomo. On arrival there Captain Chalmers was ordered by the Portuguese authorities to lower the flag, and was threatened, on refusal, that his ship would be fired into. He was then arrested on a charge of discourtesy, and put in gaol at Mopea.

On learning this arrest the Governor of Quilimane at once ordered Captain Chalmers' release, but declared the steamer and crew under arrest, forbade all communication with the shore, and warned the captain that if the vessel returned to Portuguese waters she would be fired upon.

The Governor of Quilimane further issued orders that no one was to supply fuel, food, or anything else, to Her Majesty's gun-boats or any British vessel. He also caused the forcible seizure of the African Lakes Company's station at Morambala.

Lieutenant and Commander Keary, as senior British naval officer present, made an arrangement with the Governor under which the gun-boats were to return to the Chinde mouth, and there receive from his Excellency a formal communication of the agreement between the two Governments, on which he promised to maintain friendly relations with all British subjects.

On the facts of the case being brought to the notice of the Governor-General of Mozambique by the Acting British Consul, he promised at once to take steps to prevent the continuance of any further opposition on the part of the authorities or the natives.

I have to request you to make a formal representation of the above facts to the Minister for Foreign Affairs, and to reserve all claims on the part of Her Majesty's Government which may arise from them.

I am, &c.,

Sir G. Petre.

SALISBURY.

No. 68.—*Sir G. Petre to the Marquess of Salisbury.*—(Received February 17.)

MY LORD,

Lisbon, February 13, 1891.

I HAVE the honour to inclose the translation of a note, dated the 5th instant, which I received yesterday from the Minister for Foreign Affairs in reply to my note of the 3rd instant, copy also inclosed, claiming 1,450*l.* from the Portuguese Government as compensation to the African Lakes Company for the seizure of the *James Stevenson* and the imprisonment of the officers and crew.

The Portuguese Government, on grounds against the validity of which I have thought it right to protest at once, in a note of which I inclose a copy, decline to admit the claim to compensation.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE.

(Inclosure 1.)—*Sir G. Petre to Senhor du Bocage.*

M. LE MINISTRE,

Lisbon, February 3, 1891.

IN my note to your Excellency of the 25th September last I informed the Portuguese Government that formal claims would probably be presented to Her Majesty's Government in consequence of the seizure of the *James Stevenson* in the Shiré by Portuguese officials in the month of July last. The claims resulting from this seizure have now been presented to Her Majesty's Government. When first put forward they were assessed by the African Lakes Company at 4,900*l.*, but this amount appearing to Her Majesty's Government to be excessive, the claims, after careful examination, have been reduced by them to the sum of 1,450*l.* from the amount originally claimed by the Company.

I am now instructed by the Marquess of Salisbury to make a formal demand on the part of Her Majesty's Government for the payment of the last-mentioned sum. If the Portuguese Government should require it, Her Majesty's Government are prepared to support the claim with details of the items. If they have not done so in the first instance, it is because they feel sure that the Portuguese Government will recognize the justice of the case and the moderation of the amount claimed.

I avail, &c.,

Senhor du Bocage.

GEORGE G. PETRE.

(Inclosure 2.)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

February 5, 1891.

I HASTEN to acknowledge the receipt of the note which your Excellency did me the honour to address to me the day before yesterday, making a formal claim on the part of Her Britannic Majesty's Government for the seizure of the steamer *James Stevenson* in the Portuguese waters of the Shiré.

His Majesty's Government regret that they are not convinced, as the British Government are, of the justice of the claim of the African Lakes Company; and while appreciating and feeling thankful for the moderation with which the British Government have modified that Company's claims, which they have reduced from the amount which they considered to be exaggerated to the sum which they have thought just, His Majesty's Government nevertheless differ from the British Government as to the manner of taking into consideration the essence of the question itself.

The opinion of His Majesty's Government is based on the official reports which they have received upon this matter, and which were later on confirmed by the record of the inquiry which was made in the presence of the Governor of the district, the whole of the witnesses being unanimous in their depositions; the witnesses were the Commander of the military detachment, as well as other officers of the army and navy, and public officials, &c.

The reports are as follows :—

On the 6th July, 1890, the British steamer *James Stevenson* was sighted by the Portuguese sentry at the battery at Chilomo; it was ascending the Shiré at full steam, in the direction of the waters which flow along the territories in dispute. As the Governor suspected that the ship was conveying arms and ammunition of war for the tribes who were engaged in hostilities against the Portuguese authorities, he ordered all the usual intimations to be made, which were confirmed by his firing three guns with blank shot, in order that he might exercise, as in duty bound, the right of search. The British steamer paid no attention to the intimations made in a regular manner by a Portuguese authority, and proceeded rapidly to the north of the Ruó. It was only there that a Portuguese boat got alongside with an unarmed crew, and the officer in command courteously called upon him to descend below the mouth of the Ruó, that is to say, a few fathoms lower down, in order to settle by mutual agreement the difficulty caused by the *James Stevenson* having failed to comply with the intimation made to it by a Portuguese authority. As the captain of the *James Stevenson* refused to accede to this conciliatory step, the officer gave him

notice, in the Governor's name, that the latter would be compelled to detain the steamer and the crew on their voyage southward.

Four days after, while the *James Stevenson* was steaming to the south, it was detained by the Portuguese authorities, as it had not attended to the intimation given until the third blank shot had been fired for the purpose of accentuating the usual intimations.

As your Excellency will perceive from the simple narrative of the facts of the case, there was, on the part of the *James Stevenson*, a complete contempt shown for the sovereignty of Portugal in the waters, the dominion and effectual occupation of which were not even called in question in your Excellency's note of the 11th January of last year.

Had the *James Stevenson* obeyed, as it was bound to do, the intimation made to it by the territorial authorities, the latter would have merely examined the cargo, and in the event of its not being intended to favour the hostile tribes, they would not have placed the slightest obstacle in the way of the passing through of the steamer. The English captain, however, thought otherwise, and, under the circumstances, the Portuguese authorities acted in a proper manner, without deviating from the moderation and conciliatory spirit by which His Majesty's Government are ever inspired in their international relations. I trust, therefore, that the British Government, with the same feeling of justice with which they modified the claim first made by the Lakes Company with reference to this matter, will also acknowledge, in view of the facts set forth, that those claims are utterly void of foundation.

I avail, &c.,

Sir G. Petre.

JOSÉ VICENTE BARBOZA DU BOCAGE.

(Inclosure 3.)—Sir G. Petre to Senhor du Bocage.

M. LE MINISTRE,

Lisbon, February 13, 1891.

I HAVE the honour to acknowledge the receipt of your Excellency's note, dated the 5th, in reply to my note in which, by direction of Her Majesty's Government, I formulated a claim against the Government of His Most Faithful Majesty for the sum of 1,450*l.* in consequence of the seizure of the British steamer *James Stevenson*, and the imprisonment of her officers and crew, in the River Shiré in the month of July last.

I gather from your Excellency's reply that the refusal of the Portuguese Government to admit the very moderate claim for compensation due to the African Lakes Company is based upon the assumption that the vessel in question had committed an infraction of the law of Portugal in passing by the Portuguese station of

Chilomo without stopping to be visited by the officials, in spite of three blank shots being fired for the purpose of bringing the vessel to.

With respect to this alleged violation of the law, without entering into the question of the validity of the right of Portuguese officials to overhaul British vessels on the Shiré, I would remind your Excellency that the statement upon which the Portuguese Government rely, and upon which alone they attempt to justify the proceedings of their officials on the occasion in question, is directly contradicted by the evidence of all those who were on board the steamer at the time, including, as passengers, such persons as Mr. Joseph Thomson, Fellow of the Royal Geographical Society, Mr. Grant, the Rev. J. L. Frere, Dr. Steel, and others, members of the Scotch and University Missions.

What actually occurred was this: the *James Stevenson*, on nearing the boundary, blew her whistle, to warn the Portuguese officials of her approach, and, not receiving any challenge from them, passed above the Ruo, and made fast at the public landing-place on the Shiré. It was then, and not till then, that the shots referred to were fired, and that the demand was made to examine the papers and cargo of a British vessel lying within British jurisdiction.

I avail, &c.,

Senhor du Bocage.

GEORGE G. PETRE.

No. 73.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, February 21, 1891.

WITH reference to your despatch of the 13th instant, relative to the claim of the African Lakes Company on account of the seizure of the *James Stevenson*, I have to state that I approve the note, of which copy was therein inclosed, addressed by you to the Portuguese Government as an immediate protest against the validity of the grounds upon which they decline to admit the claim to compensation. You should now supplement that note by a formal reply to Senhor du Bocage's communication of the 5th instant, stating that Her Majesty's Government have been anxious to deal with this question in a conciliatory spirit, but that the answer of the Portuguese Government cannot be accepted.

You should add that Her Majesty's Government presume that the Portuguese Government do not, in referring to the testimony of witnesses, contend that a large number of Portuguese officers and officials were present on the occasion of the passage of the vessel up the river. Even if this were so, such spectators, not being immediately concerned, would have been less likely to observe and

recollect the facts with accuracy. Whereas the English witnesses, men of high standing and unimpeachable veracity, could not be mistaken as to the facts of the case, being actually on board the vessel.

You should further point out that the fact that the steamer was summoned by a Portuguese officer while in British waters is not disputed in Senhor du Bocage's note; and that there is no justification, according to municipal or international law, for the capture and imprisonment as criminals of the crew of a vessel of a friendly nation under such circumstances.

You should, consequently, again press the Portuguese Government to agree to a settlement of the reasonable claim preferred on behalf of the African Lakes Company by Her Majesty's Government, upon the terms already indicated.

I am, &c.,

Sir G. Petre.

SALISBURY.

No. 74.—Sir G. Petre to the Marquess of Salisbury.—(Received February 23.)

MY LORD,

Lisbon, February 17, 1891.

WITH reference to your Lordship's despatch of the 9th instant, I have the honour to transmit herewith copy of a note which I have addressed to the Minister for Foreign Affairs, making a formal representation to his Excellency on the subject of the recent action of the Portuguese authorities on the Zambezi in regard to the navigation of the river by British vessels, and the passage of supplies to British settlers in Nyasaland.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE

(Inclosure.)—Sir G. Petre to Senhor du Bocage.

M. LE MINISTRE,

Lisbon, February 16, 1891.

I HAVE received instructions from Her Majesty's Principal Secretary of State for Foreign Affairs to make a formal representation to your Excellency of the following facts relating to the action of the Portuguese authorities on the Zambezi in regard to the navigation of the river by British vessels, and the passage of supplies to British settlers in Nyasaland.

The African Lakes Company's steamer *James Stevenson*, Captain Chalmers, flying the British flag, under special permission from Commander Keane, arrived at Vicenti on the 22nd November from Chilomo. On arrival there Captain Chalmers was ordered by the

Portuguese authorities to lower the flag, and was threatened, on refusal, that his ship would be fired into. He was then arrested on a charge of discourtesy and put in gaol at Mopea. On learning this arrest the Governor of Quilimane at once ordered Captain Chalmers' release, but declared the steamer and crew under arrest, forbade all communication with the shore, and warned the captain that if the vessel returned to Portuguese waters she would be fired upon.

The Governor of Quilimane further issued orders that no one was to supply fuel, food, or anything else to Her Majesty's gun-boats or any British vessels. He also caused the forcible seizure of the African Lakes Company's station at Morambala.

Lieutenant and Commander Keary, as Senior British Naval Officer present, made an arrangement with the Governor under which the gun-boats were to return to the Chinde mouth, and there receive from his Excellency a formal communication of the agreement between the two Governments, on which he promised to maintain friendly relations with all British subjects.

On the facts of the case being brought to the notice of the Governor-General of Mozambique by the Acting British Consul, his Excellency promised at once to take steps to prevent the continuance of any further opposition on the part of the authorities or the natives.

In representing the above facts to your Excellency, I am directed to reserve all claims on the part of Her Majesty's Government which may arise from them.

I avail, &c.,

Senhor du Bocage.

GEORGE G. PETRE.

No. 97.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, March 14, 1891.

I TRANSMIT to you copy of a telegram from the Acting High Commissioner in South Africa, relating to the seizure of the British vessel *Countess of Carnarvon* by the Portuguese authorities in South-East Africa.

I am, &c.,

Sir G. Petre.

SALISBURY.

(Inclosure).—Lieutenant-General Cameron to Lord Knutsford.

(Telegraphic.)

Cape Town, March 14, 1891.

CONSUL Delagoa Bay reports :—

“British steamer *Countess of Carnarvon* seized for alleged smuggling Limpopo. Will be brought here by Portuguese gun-boat.”

No. 100.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, March 16, 1891.

I TRANSMIT a telegram, dated to-day, from the Acting High Commissioner in South Africa, relative to the seizure of the *Countess of Carnarvon* by the Portuguese in South-East Africa.

[I am, &c.,

Sir G. Petre.

SALISBURY.

(Inclosure.)—Lieutenant-General Cameron to Lord Knutsford.

(Telegraphic.)

(Received March 16, 1891.)

THE *Countess of Carnarvon* on first voyage to Limpopo landed Martini-Henry rifles and ammunition for Gungunhana; she returned to Durban, and then again left for Limpopo in ballast to fetch Dr. Jameson and other passengers; on return voyage from Limpopo she was fired on and seized.

No. 105.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, March 21, 1891.

You should inform the Portuguese Minister for Foreign Affairs that an English vessel has been seized in the Limpopo, together with her crew, and you should request to be furnished with an explanation of the reason for her having been arrested.

No. 110.—Sir G. Petre to the Marquess of Salisbury.—(Received March 27.)

MY LORD,

Lisbon, March 23, 1891.

I HAVE the honour to inclose a copy of the note which I addressed to the Minister for Foreign Affairs, asking for an explanation of the reasons for the arrest of a British steamer and her crew in the River Limpopo.

As I had an opportunity of seeing Senhor du Bocage yesterday, I also spokè to his Excellency on the subject. He told me that the Government had received some telegraphic information from the Governor of Lourenço Marques on the subject, but that they were in expectation of receiving more detailed information asked for by his colleague the Minister of Marine, and that he would communicate to me fully whatever the Governor telegraphed pending the receipt of his official report.

I referred in conversation to a telegram from the Cape, in which Mr. Jameson is said to state most positively that the *Countess of*

Carnarvon did not convey any arms or ammunition, and I asked his Excellency if he could tell me what proof the authorities of Lourenço Marques had of the contrary, because if the vessel carried no arms she could not properly be seized, and, at the worst, was only amenable to a fine for disregarding the summons of the Portuguese officials at the fiscal post at the mouth of the river to stop.

His Excellency assured me that ample proof would be produced, though he did not indicate what it was; but, in confirmation of the Portuguese contention, he referred me to a télégram of Reuter's from Durban of the 13th instant, in which it was said that there was a report there, which was thought to be well founded, that the *Countess of Carnarvon*, which had lately left on a mission from the British South Africa Company, had gone up the Limpopo with 1,000 muskets and 20,000 cartridges.

With respect to what I had said about the vessel having only rendered herself liable to a fine for not heaving-to at the port, as prescribed by the regulations, he said he could not admit that, because the navigation of the Limpopo, which, in fact, was only possible for about 40 kilom., was not open, like the Zambezi or the Pungwe, under the *modus vivendi*, and, therefore, that no vessel had a right to pass up the river without permission from the Portuguese authorities.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE.

(*Inclosure.*)—*Sir G. Petre to Senhor du Bocage.*

M. LE MINISTRE,

Lisbon, March 22, 1891.

IN compliance with instructions which I have received from the Marquess of Salisbury, I have the honour to inform your Excellency that a British ship with her crew has been seized by the Portuguese authorities in the River Limpopo, and I am directed, at the same time, to ask for an explanation of the reasons for her arrest.

I avail, &c.,

Senhor du Bocage.

GEORGE G. PETRE.

No. 119.—*Sir G. Petre to the Marquess of Salisbury.*—(*Received March 30.*)

MY LORD,

Lisbon, March 27, 1891.

WITH reference to my preceding despatch of yesterday, I have now the honour to inclose the translation of a note which I have received from the Minister for Foreign Affairs in reply to my note of the 22nd instant, asking for an explanation of the seizure in the Limpopo of the British steamer *Countess of Carnarvon*.

The reply does not profess to be anything more than a communication of the telegraphic information received up to the present time on the subject by the Portuguese Government.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE

(*Inclosure.*)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY.

March 24, 1891.

IN order not to delay any longer my reply to the note which your Excellency did me the honour to address to me on the 22nd instant, I will give your Excellency the information which His Majesty's Government have received up to this date with respect to the capture of an English steamer in the waters of the Limpopo, and I shall endeavour later on to complete that information with any further details that may reach them.

The Portuguese Government were informed on the 27th February last, by a telegram from Lourenço Marques, that a British merchant-steamer took the opportunity of the Customs steamer *MacMahon* being away at Durban undergoing repairs to enter the River Limpopo, which is not open to foreign steamers, and to go up that river at full speed, without obeying the intimation (to stop) made from the Custom-house at the mouth of that river.

It was at once known at Lourenço Marques that the steamer referred to was carrying contraband of war, arms and ammunition, sent by the South Africa Company to Gungunhana.

Lord Salisbury was immediately made acquainted, on the following day, by the Portuguese Minister in London, with the above-mentioned facts, and also that the Portuguese authorities were going to proceed, in accordance with the laws, against the transgressors; and at that interview Lord Salisbury acknowledged, as he could not fail to do, that as the Limpopo was a Portuguese river, Portugal was entitled to exercise a police supervision there and to prevent smuggling.

His Majesty's Government subsequently learnt, by further telegrams from Lourenço Marques, dated the 13th, 14th, 16th, 19th, and 23rd instant, that the English steamer *Countess of Carnarvon* had been captured in the waters of the Limpopo by the Portuguese Customs steamer *MacMahon*; that the *Countess of Carnarvon* had, according to the reports made to the Governor of Lourenço Marques, previously landed 1,000 arms and war material in the region of Kuahito, on the Limpopo; that she was detained as security for the fine that might be imposed by the proper Tribunal on account of her having violated the laws; that neither the

passengers nor the crew had ever been imprisoned; that the master of the vessel had not presented any papers, stating that he had none, with the exception of the ship's register; that the proper proceedings had been instituted on the ground of the official reports already received, but for the further continuation of the proceedings it was necessary to await the arrival of three witnesses who had to come from Gaza; that, finally, the master had refused, in his affidavit before the British Consul, to state the name of the shipper of the 1,000 carbines and of the 19,000 cartridges from Port Elizabeth which had been landed on the Limpopo.

This omission is cleared up by means of a telegram from an impartial source published in the "Times" of the 16th instant, which I will quote *verbatim*:—

"Durban, March 13.

"Confirmation has been received of the report concerning the capture of the steamer *Countess of Carnarvon* by the Portuguese while the vessel was ascending the Limpopo River, with 1,000 rifles and 20,000 rounds of ammunition, on a mission from the British South Africa Company. She was captured by the Portuguese gun-boat *Marshal MacMahon*, and taken to Delagoa Bay as a prize, with her cargo."

This telegram was communicated to that journal by Reuter's Agency.

The passengers on board the *Countess of Carnarvon* were Messrs. Jameson, Stevens, Moodie, and Doyle, all described as members of the South Africa Company, and the last-named acted an important rôle in the capture of Paiva d'Audrada and Manuel Antonio de Souza, and in the subsequent proceedings. They had all come from Gungunhana's kraal ("ariunga"); consequently, their visit to the Chief Gungunhana coincided with the fact of the smuggling and of the landing of the arms and ammunition from the English steamer.

Such are the facts of the case. I refrain from any comments. I leave it to Lord Salisbury's conscience to decide whether the perfidious practices on the part of the Chartered British South Africa Company, for the purpose of inciting a vassal of the Portuguese Crown to rebellion, at a time of complete peace, and in manifest violation of the *modus vivendi* guaranteed by England, are not such as to require a prompt and effectual repression on the part of Her Britannic Majesty's Government.

I avail, &c.,

Sir G. Petre.

JOSÉ VICENTE BARBOZA DU BOCAGE.

No. 128.—*The Marquess of Salisbury to Sir G. Petre.*

(Telegraphic.)

Foreign Office, April 2, 1891.

WE have received official information that no Portuguese Custom-house existed on the Limpopo, and that no concealment of the cargo was attempted. We are further informed that the Portuguese official on the Limpopo, by whom duties were demanded, being unaware of their amount, accepted a written guarantee undertaking payment, and then allowed the passage inland of the guns.

You should bring the facts to the knowledge of the Minister for Foreign Affairs, and point out that a grave aspect is placed upon the seizure of the vessel by this information.

No. 137.—*Sir G. Petre to the Marquess of Salisbury.*—(Received April 6.)

MY LORD,

Lisbon, April 2, 1891.

WITH reference to my despatch of the 5th ultimo, which inclosed the copy and translation of a note from the Portuguese Minister for Foreign Affairs in reply to the representation made by me on the subject of the action of the Portuguese authorities on the Zambezi in impeding the passage of British vessels and of supplies to the British settlers in Nyasa, Senhor du Bocage has addressed a further note to me, of which I have the honour to transmit a translation, with regard to the arrest of the steamer *James Stevenson* at Vicenti in November of last year.

His Excellency excuses the proceedings of the Portuguese officials on the ground that at the time when the incident occurred they were not, and could not be, aware of the Decree of the 18th November declaring the freedom of the navigation of the Zambezi.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE.

(Inclosure.)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon.

YOUR EXCELLENCY,

March 30, 1891.

IN addition to the note which on the 3rd instant I had the honour to address to your Excellency, in reply to the note which your Excellency was pleased to address to me on the 16th ultimo with reference to the seizure of the steamer *James Stevenson* at Vicenti, I lose no time in explaining to your Excellency the conduct of the Portuguese authorities on this matter.

As may be seen from your Excellency's note itself, the events

referred to therein took place in Portuguese waters on the 22nd November, 1890. Now, as your Excellency is aware, the freedom of the navigation of the Zambezi and Shiré was adopted by His Majesty's Government by the *modus vivendi* which was signed in London on the 14th November of last year,* and was decreed on the 18th of the same month,† with reference to the part of those rivers under the sovereignty, protectorate, or influence of Portugal; these two documents, the *modus vivendi* and the subsequent Decree, were published on the 20th November, 1890.

The difficulty of communications rendered it materially impossible for the authorities of the district of Quilimane to become acquainted with the measures adopted by His Majesty's Government two days after the publication of the same in the "Diario do Governo."

As the authorities at Vicenti were therefore unacquainted, and, as your Excellency knows, with good reason, with the measures adopted by His Majesty's Government with reference to the navigation of the Zambezi, it unquestionably was their duty, and, in general, of all those authorities who were placed in the same position, to prevent all navigation in the Portuguese waters of the Zambezi under any flag other than the Portuguese, inasmuch as His Majesty's Government had not recognized up to the date of the *modus vivendi* another régime for the navigation of that river.

The Lakes Company, which undoubtedly was not aware, at the time when the event to which I refer took place, any more than the Governor of Quilimane was, of the Decrees recently issued in favour of the free navigation of the Zambezi, would have shown greater respect for the rights of Portugal had it abstained from infringing the régime which was the only legal one up to that date, inasmuch as no official news had as yet been received of the Decree of the 18th November, 1890.

While, however, regretting that the Decree in question, which was drawn up in a very conciliatory spirit on the part of His Majesty's Government, should not have been received in time to prevent a conflict which would have been avoided had not a mere private Company disregarded the rights which had not yet been given up by Portugal, nevertheless I trust that the British Government will acknowledge, in view of the explanations which I have frankly given to your Excellency, that the Portuguese authorities strictly complied with their duty, and that, considering the conciliatory intentions with which His Majesty's Government assented to and decreed the free navigation of the Zambezi and Shiré, they

* Vol. LXXXII, page 336.

† Vol. LXXXII, page 338.

will desist from putting forward any further claim upon this matter.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE.

No. 138.—Sir G. Petre to the Marquess of Salisbury.—(Received April 7.)

MY LORD,

Lisbon, April 3, 1891.

I CALLED to-day upon Senhor du Bocage, and handed him the inclosed note communicating the official information respecting the seizure of the *Countess of Carnarvon*, which has been received by Her Majesty's Government.

His Excellency seemed very much surprised, and said that this version of what occurred was quite new to the Government, and he at once admitted that if it should prove to be correct, it would place the matter in a very different light. He said he would communicate with his colleague the Minister of Marine, who would telegraph to the Governor of Lourenço Marques for explanations.

He observed, at the same time, that this account was at variance with what was stated in the first instance in the telegrams from Durban and the Cape, that the vessel had passed the fiscal post at the mouth of the river full steam ahead, regardless of the challenge of the Portuguese official there.

I drew his Excellency's attention to the official character of the information received by Her Majesty's Government.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE

(Inclosure.)—Sir G. Petre to Senhor du Bocage.

M. LE MINISTRE,

Lisbon, April 3, 1891.

WITH reference to the seizure of the British steamer *Countess of Carnarvon* in the River Limpopo, I am instructed to inform your Excellency that Her Majesty's Government have received official information that there was no attempt at concealing the cargo, and that the duties upon it were actually demanded by a Portuguese official, who, however, not knowing what they amounted to, accepted a written guarantee that they would be paid, and on the strength of this he allowed the guns to pass.

Her Majesty's Government consider that the seizure of the vessel assumes a grave aspect in consequence of this information.

I avail, &c.,

Senhor du Bocage.

GEORGE G. PETRE.

No. 145.—*The Marquess of Salisbury to Sir G. Petre.*

SIR, Foreign Office, April 12, 1891.

I INCLOSE a statement respecting the seizure of the *Countess of Carnarvon* received from the South Africa Company.

I am, &c.,

Sir G. Petre.

SALISBURY.

(*Inclosure.*)

THE BRITISH SOUTH AFRICA COMPANY.

Extract from Letter from Kimberley Office to London Office, dated
March 16, 1891.

Seizure of the Countess of Carnarvon.

To recapitulate the events which led to this seizure, I would state, for the Board's information, that Dr. Schulz informed us, in a letter dated the 15th February, that Senhor Almeida was endeavouring to induce Gungunhana to sign a document conveying the sovereignty of his country to Portugal, probably, we suppose, in place of the alleged act of vassalage of 1885, which they know full well will not hold water if examined into.

In conformity with the Mineral Concession granted to Dr. Schulz last October (Dr. Schulz informs me that the 4th October was the actual date of the granting of the Concession) the *Countess of Carnarvon*, a small screw-steamer of about 100 tons, left Port Elizabeth on the 11th February, to convey 1,000*l.* in gold, some rifles, ammunition, and presents, to Gungunhana as a fulfilment of the terms of the said Mineral Concession, which the Board will note was granted prior to the *modus vivendi* being established.

Mr. Rhodes had it first in contemplation to send these things across country from Tuli, but, owing to the unprecedentedly heavy rains, Colonel Pennefather reported that it would be impossible for the waggons containing these goods to reach the King's kraal before the end of next April at the earliest, and as we had promised to deliver within a reasonable space of time after the granting of the Concession, this delay might have led the King to suspect the Company's *bona fides* in the matter; on Dr. Schulz, however, pointing out to the King that this great delay might take place, the King instructed him to bring everything by the Limpopo River, within a short distance of the banks of which he lives.

Dr. Schulz pointed out to him that the Portuguese would probably resent our using this river, as they claimed the coast-line as theirs. The King could hardly be induced to credit the statement,

as, to the King's face, the Portuguese invariably pretend that they only use the coast-line by his consent and with his permission, and he desired Dr. Schulz to make use of the river.

The little vessel successfully crossed the bar, and anchored at the Chief's usual landing-place, from whence everything was conveyed to his kraal, and he thereupon formally ratified in writing, to satisfy European requirements, the Concession which had been granted by him.

The vessel thereupon left, and returned to Durban, owing to some little imperfection in the machinery, which was speedily put right, and after taking in coals and water, and a small store of provisions, she again left Durban.

She entered the Limpopo and proceeded to the King's landing-place, and what we next hear is that while proceeding down the river with Dr. Jameson, Mr. Doyle, Mr. Moodie, and Mr. Stevens on board (the three former having travelled overland from Manica to the King's kraal), she was fired on and seized by a Portuguese gun-boat, the *Marshal MacMahon*, those on board being made prisoners, and the steamer taken as a prize to Delagoa Bay.

No. 148.—*Sir G. Petre to the Marquess of Salisbury.*—(*Received April 15.*)

MY LORD,

Lisbon, April 11, 1891.

I HAVE the honour to inclose translation of a note which I have received from the Minister for Foreign Affairs, in reply to my note of the 3rd instant on the subject of the seizure of the *Countess of Carnarvon*.

As I telegraphed to your Lordship on the 8th instant, the Governor of Lourenço Marques, in answer to the inquiry of the Portuguese Government, denies the truth of the statement that a Portuguese official in the Limpopo had allowed the vessel and arms to pass.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE

(*Inclosure.*)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

April 9, 1891.

IN a note which your Excellency addressed to me on the 3rd instant you informed me that Her Britannic Majesty's Government had received the subjoined information with respect to the seizure of the British ship *Countess of Carnarvon* by the Portuguese authorities in the waters of the Limpopo, to the effect that "there was no

attempt at concealing the cargo of that vessel from our Customs authorities, so much so that an official demanded the payment of the duties upon it, but did not recover them for the sole reason that he did not know what they amounted to, and he therefore accepted a written declaration as a promise of future payment."

In the same note your Excellency added that, "in view of this information, the seizure of the vessel assumed a grave aspect."

I was greatly surprised at your Excellency's note, inasmuch as the circumstances which, as now alleged, attended the seizure of the ship were manifestly contrary to, and irreconcilable with, those brought to my knowledge, and which were communicated to your Excellency in my note of the 24th ultimo, in answer to that of your Excellency of the 22nd of that month. I therefore at once endeavoured to obtain further information, and for this purpose the Governor of Lourenço Marques was instructed to state positively whether it was true that any Customs official had given permission to the steamer *Countess of Carnarvon* to enter with the arms and ammunition which she carried, and that he had only failed to recover the duties on the cargo because he did not know what they amounted to.

There was a slight delay in sending the reply, possibly on account of the temporary absence of the Governor; but yesterday a telegram was received in which that officer asserts that the news to which I have just alluded is untrue. He added that on that very day he was expecting the three witnesses (who are coming from Gazaland), and that by the next mail he would report the whole details in order that a proper judgment may be formed upon the facts which took place.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE.

No. 151.—*The Marquess of Salisbury to Sir G. Petre.*

SIR,

Foreign Office, April 17, 1891.

I TRANSMIT copy of a Report received through the High Commissioner for South Africa on the subject of the seizure of the *Countess of Carnarvon*.

I am, &c.,

Sir G. Petre.

SALISBURY.

(Inclosure).—*Dr. Jameson to Imperial Secretary, Cape Town.*

(Extract.)

Cape Town, March 24, 1891.

MR. PAWLEY, one of the Company's agents, gave me the following history of the disembarkation of the guns from the *Countess of Carnarvon*, and of their conveyance to the King's kraal.

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After entering the River Limpopo, and coming alongside what was afterwards found to be the Portuguese Custom-house for goods proceeding by land from Delagoa Bay to Gazaland, three Portuguese came on board the *Countess of Carnarvon*. After a quarter-of-an-hour's friendly conversation with Mr. Pawley, and without asking to see the captain of the vessel, they left, saying this was not an official visit, which they would pay later. The next day, receiving no official visit, the *Countess* steamed another twenty miles up the river and landed the guns at Umshwebe's kraal, the King's Induna having previously pointed out an anchorage. The guns, &c., were stored in one of Umshwebe's huts pending removal to the King's kraal, a distance of forty-five miles.

On the following morning 150 armed black soldiers, with some white Portuguese officers, appeared and formally took possession of the hut, placing a guard over the guns. M. Repoza, styling himself Intendant of Gazaland, then demanded from Mr. Pawley 2,000*l.* as customs dues, explaining at the same time that the Limpopo was a closed river, and that the Custom-house had nothing to do with the river, but was merely a half-way house from Delagoa Bay to Manbligaz for levying dues on land transport. Mr. Pawley objected, and asked for an explanation of how this 2,000*l.* was arrived at, how much per barrel, &c.

M. Repoza could not answer these questions, but persisted in this demand for 2,000*l.*

Mr. Pawley explained that Gungunhana claimed the river as his, and that it was by his direction and with his permission that these guns were landed there, but all to no purpose. Finally, Mr. Pawley, explaining that he had no money there, gave to M. Repoza a written guarantee that should the claims of Portugal be justified the 2,000*l.* demanded would be paid. This guarantee M. Repoza accepted, and withdrew his men.

The guns were afterwards removed by Gungunhana's carriers to the King's kraal.

Immediately after the landing of the guns, the *Countess of Carnarvon* returned to Durban for further provisions and coal; then, clearing for Guam [?] in ballast, came back to her anchorage in the Limpopo River.

Six days after this the Portuguese gun-boat, the *Marshal MacMahon*, appeared and anchored about twenty yards below the *Countess*.

A boat was at once sent to the *Countess* by the Portuguese, with a long string of orders for the captain's signature, name of boat, his own name, &c., the last being an order to lower his flag. All these the captain of the *Countess* complied with except the last. In a few minutes the boat returned, emphasizing the order to lower his flag,

and stating this was the last time it would be given. The captain explained that, thinking force would be used, he complied.

On the following day I arrived on board the *Countess*, with Messrs. Doyle, Stevens, and Moodie. Within five minutes an order came to the captain ordering him not to leave his anchorage, and requiring his signature of consent. This he refused to give. The next evening the captain was ordered to send all his crew and passengers on board the gun-boat. This was complied with, with the exception of myself and Mr. Doyle, the latter being too ill to be removed.

Fourteen armed sailors and soldiers were then placed on board the *Countess*, and next morning the two vessels proceeded down the river, Captain Buckingham not being permitted to have anything to do with the navigation.

Three days were occupied in the journey to Delagoa Bay, a journey of eighty miles, the passengers of the *Countess* on board the gun-boat being very harshly treated: on the first night placed in the hold, with all the filthy Portuguese and niggers, and, afterwards, objecting to this, having to remain on deck through very stormy weather, resulting in a very bad attack of ague and fever to Mr. Moodie.

On arrival at Delagoa Bay passengers and crew were declared free, but the vessel was detained for dues and fine under a charge of alleged smuggling.

His Excellency will note that this charge cannot hold water, the Portuguese authorities on land having already accepted a guarantee in lieu of dues if such could be justified.

I would inform your Excellency that, on leaving Gungunhana's kraal, my arrangement with Dr. Schultz was, that after conveying me and my companions to Durban the *Countess* should at once return to Limpopo, the King being anxious that Dr. A. Schultz, with his three principal councillors forming the Mission to the Queen, should proceed at once with the signed documents to Her Majesty in England.

No. 155.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, April 20, 1891.

I TRANSMIT to you a copy of a telegram from Her Majesty's High Commissioner for South Africa relating to the seizure of the vessels *Agnes* and *Shark* by the Portuguese authorities at Beira.

I am, &c.,

Sir G. Petre.

SALISBURY.

(Inclosure.)—Governor Sir H. Loch to Lord Knutsford.

(Telegraphic.)

April 19, 1891.

CONSUL, Lourenço Marques, telegraphs :—

"Steamer *Norseman* returned from Beira with party. Notice was given to Sir John Willoughby at Beira that river was not open. Martial law declared since 18th March. Nobody allowed up river, and if attempt were made boat would be fired upon. British flag hauled down and Portuguese put in place. Imperial mail to Mashona stopped. Governor at Beira says he will not be answerable for British lives, as soldiers are so excited; 600 soldiers marching against Massi-Kessi."

Willoughby telegraphs from Lourenço Marques :—

"*Agnes* and *Shark* and lighters with cargo fired on at Beira and seized 15th April. River closed to all. Self and party, including natives, came on here. *Agnes* and lighters in possession of armed soldiers. European crew close prisoners. *Shark* flag hauled down, replaced by Portuguese flag. British lives Beira unsafe."

The above-mentioned party left Capetown before official notification of river being closed had been received. Willoughby's instructions were to offer in writing payment of customs if passage up river was refused. To ask Governor whether boats would be prevented by force ascending river. To say if no answer received in twenty-four hours, consent of authorities would be assumed. Willoughby says, fulfilled fully instructions. It appears, therefore, they were fired on without notice.

No. 159.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, April 21, 1891.

INFORMATION has reached Her Majesty's Government that the *Agnes* and *Shark*, two British vessels, and lighter laden with cargo, were fired upon and seized on 15th instant at Beira. It is said that the European crew were detained as close prisoners.

The British flag flown by the *Shark* was hauled down, and the Portuguese flag hoisted in its place.

The vessels were endeavouring, in accordance with the *modus vivendi*, to open peaceable communications with the British sphere.

You should demand of Portuguese Government that the vessels and their crews be immediately released.

No. 169.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, April 23, 1891.

HER Majesty's Government have had under their consideration the note from Senhor du Bocage, inclosed in your despatch of the 2nd instant, in which his Excellency replies to the representations which you were directed to make in regard to the interference of the Portuguese authorities on the Zambezi with the British steamer *James Stevenson*.

His Excellency endeavours to justify their proceedings on the ground that they took place before the news of the signature of the *modus vivendi* and of the issue of the Decree of the 18th November had reached Vicenti, and that it was therefore the duty of the authorities to prevent the navigation of the river by vessels under any flag except that of Portugal.

The right thus claimed is not, as you are aware, admitted by Her Majesty's Government, who maintain that the Zambezi is an international waterway, the navigation of which is absolutely free to the ships of all nations.

The incidents, which were briefly stated in my despatch of the 9th February, have now been fully reported upon by the British naval officer in command of Her Majesty's gun-boats on the Shiré, and are of so grave a nature that I must again instruct you to call the serious attention of the Portuguese Government to them.

The facts are as follows :—

On the 22nd November last the African Lakes Company's steamer *James Stevenson*, on arriving at Vicenti, was boarded by an officer of the Portuguese gun-boat *Ouama*, who ordered Mr. Chalmers, the captain, to haul down the British merchant ensign then flying on board his vessel. Captain Chalmers refused to do so, stating that the Zambezi and Shiré were free rivers, and that he had orders to fly the merchant ensign.

Captain Howell, the Commander of the *Cuama*, with another officer, then appeared on the river bank, and ordered Captain Chalmers to haul down his flag, but he again refused.

Mr. Hillier, Traffic Manager to the African Lakes Company, who was on board the *James Stevenson*, thereupon went on shore and handed to Captain Howell a letter from Lieutenant-Commander Keane, of Her Majesty's ship *Herald*, authorizing Captain Chalmers to fly the merchant ensign. Captain Howell refused to read the letter, and insisted that the flag should be hauled down. On being asked why he had not made this demand when the *James Stevenson* came up the river with the British gun-boats, Captain Howell became very violent, threatened to throw Mr. Hillier into the river,

and said that, if the flag was not hauled down at once, he would bring up his gun-boat and fire into the *James Stevenson*.

Having no power to resist, Mr. Hillier then hauled down the flag under protest. After this had been done, Captain Howell sent a native soldier on board the *James Stevenson*, who arrested Captain Chalmers, and he was marched off to Mopea, a distance of about four miles, and put in prison. He remained in custody until 1 P.M. on the following day, when he was released by order of the Governor of Quilimane.

On the same afternoon (the 23rd) Captain Howell informed Mr. Hillier that he had received a telegram from the Governor of Quilimane ordering him to prevent the *James Stevenson* from landing or shipping cargo, and that the vessel was to leave Vicenti.

Mr. Hillier was not permitted to ship any provisions for the ship's crew, and the traders and natives on the river banks were threatened with punishment if they supplied provisions or goods of any kind. Captain Howell also informed him that if the *James Stevenson* again entered Portuguese waters she would be fired on.

The insult thus offered by an officer in command of a Portuguese gun-boat to the British flag, and the arbitrary arrest and imprisonment of the captain of the vessel, cannot be overlooked by Her Majesty's Government. It will be observed that Captain Howell, the officer in question, ignored the fact that the flag was hoisted on the *James Stevenson* with the sanction of the Commander of Her Majesty's gun-boat *Herald*, acting under the authority of the British Government; that he threatened to use personal violence towards Mr. Hillier, and to fire on the English steamer; and that he went so far as to arrest Captain Chalmers on board his own vessel, and to convey him to Mopea, four miles distant, where he was imprisoned until the afternoon of the next day.

The manner in which this outrage was committed shows a deliberate intention to stop by violence the lawful navigation of the Zambezi and Shiré by British vessels, and to inflict serious loss and injury on the British community in Nyasaland, which was dependent on the *James Stevenson* for its supplies of the necessities of life.

It is impossible not to see in these incidents an illustration of the policy which, unfortunately for herself and for the relations between the two countries, Portugal has systematically pursued towards British subjects during the last two or three years. It has not been difficult for Her Majesty's Government to obtain the most complete assurances from the authorities at Lisbon with respect to the treatment of British subjects and the observance of their rights; but the conduct of Portuguese officers in the Eastern Colonies of Africa has in no degree corresponded with the language

held at Lisbon by the Government of His Most Faithful Majesty. Whether it has been Major Serpa Pinto, or Lieutenant Coutinho, or Captain Howell, or any other officers, the representatives of Portuguese authority in these distant countries appear to have been animated by a desire of inflicting indignity and outrage upon the subjects of Her Majesty to the utmost extent which the most strained and unreasonable construction of their orders would permit. They seem either to have been wholly indifferent to the judgment that was formed of their conduct upon these matters by their superiors in Lisbon, or else to have been convinced that they could not commend themselves in any more effective manner than by oppressive and insulting action towards the Englishmen or allies of England who came within their reach.

In the present instance the Minister for Foreign Affairs excuses the conduct of Captain Howell by saying that on the 22nd November he could not have been aware in the Zambezi of the *modus vivendi* which had only been signed upon the 14th. If the signature of that instrument had been the result of some sudden and unexpected development of policy, the excuse would possibly have been valid; though even in that case the knowledge that the proceedings of the *James Stevenson* were authorized by the Commander of Her Majesty's gun-boats, and that it had ascended the Zambezi in their company, should have caused him to hesitate before proceeding to the extreme measures which he took. But in this case there was no excuse for the pretence that the provisions of the *modus vivendi* were a surprise. The freedom of the Zambezi was one of the stipulations of the Treaty of the 20th August. That Treaty had been signed by Portugal. Captain Howell had no ground for believing that its ratification had been or would be refused. It was only indefinitely postponed. At the time when Captain Howell was inflicting these outrages upon a British vessel and its commander, the Treaty, according to the contention of Portugal, was still awaiting its ratification, and, for all he knew, might have been at that moment ratified. It therefore required the most pronounced ill-will and the most perverse construction of his duty under the circumstances to enable Captain Howell to imagine that his conduct towards the *James Stevenson* was justified by his instructions.

The particulars of the occurrence at Beira have been fully reported by Mr. Copeland, a native of Durban, who holds a prospecting licence from the South Africa Company, and who was one of a party of ten persons who started from that place, accompanied by five Kaffirs, with the intention of proceeding up the Pungwe, in accordance with the provisions of Article III of the *modus vivendi*.

The steam-ship *Maclean*, in which they made the journey, being unable to approach nearer than fourteen miles from Beira, they landed

in an open boat, and were at once marched direct to the Commandant's presence, notwithstanding the fact that they were wet through, having been out in the open boat without food for twenty-two hours in the most inclement weather. Although they were provided with passports from the Portuguese Consul at Durban, and gave the Commandant all the information he demanded, their guns, ammunition, boat, punt, stores, &c., were seized and placed in the Custom-house, and they were not allowed to touch anything, even for immediate use. This took place on the 23rd February. Mr. Copeland left Beira with one companion on the 28th February, his companions being without food, money, or appliances to leave the place. The funds of the expedition were almost exhausted, and they were indebted to the help of two English settlers for the means of subsistence.

I feel it is my duty very earnestly to call the attention of the Minister for Foreign Affairs to these incidents, and to the spirit which is shown by them to govern the conduct of the officials of the Crown of Portugal in East Africa. The other incidents of which recently we have had reason to complain—the measures taken towards the *Countess of Carnarvon*, the violence used towards Sir John Willoughby's expedition, and the insults to the British flag by which it was accompanied, the outrage upon Mr. James Thomson near the mouth of the Ruo, as well as some of the earlier incidents connected with the events upon Lake Nyasa—confirm the inferences which the seizure of the *James Stevenson* unfortunately justifies. Whatever its rights may be, or whatever the agreement may be to which the two countries may ultimately come, the Crown of Portugal is most unwise in allowing British subjects to be repeatedly the objects of treatment of this kind. They excite a feeling of indignation in England, and in the Colonies of England, which necessarily increases with each repeated outrage; and if such provocations are to recur, it may at any moment cease to be in the power of Her Majesty's Government to exercise that consideration which they have desired to extend to Portugal.

You will communicate a copy of this despatch to the Minister for Foreign Affairs. It is written for the purpose of warning him of the serious dangers which may result from the harsh and often illegal treatment which it appears to be the settled purpose of Portuguese officials in South Africa to deal out to the subjects of Her Majesty. I reserve for subsequent consideration the question of the reparation which Her Majesty's Government may be entitled to demand for the proceedings to which I have referred.

I am, &c.,

Sir G. Petre.

SALISBURY.

No. 177.—*Vice-Consul Smith-De la Cour to the Marquess of Salisbury.*—(Received April 28.)

MY LORD,

Delagoa Bay, March 27, 1891.

WITH reference to the seizure by the Portuguese Government of the British steam-ship *Countess of Carnarvon*, I have the honour to inclose herewith a copy of my protest made to the Governor of this district against all official action taken in the matter.

In an interview I had with the Governor on the 24th March the case was discussed in detail, and his side of the question was freely given to me. He stated that the official in charge of the Limpopo River, who accepted a guarantee for the payment of all legal duties, in lieu of the duties for the time being, had evidently not been cognizant of his powers, and had in every way exceeded them. I pointed out to his Excellency that the fact could hardly be brought forward to justify the consequent actions of the Captain of the gun-boat *Marshal MacMahon*, considering that the agent of the goods had entered into the arrangement in all good faith.

I then asked him what had become of the guns and ammunition, and whether he considered them as Portuguese property. He said that they were now confiscated by the Government, but that they had not been seized by the soldiers at the river, because it was known that all the goods were going to Gungunhana's kraal. That at the kraal there was a Portuguese depôt for the reception of all confiscated goods. On the arrival of the guns and ammunition at the kraal they were, he said, taken charge of by the Portuguese Resident, placed in the stores, and were now being guarded by a force of soldiers, who would not allow Gungunhana to see or touch them.

The above statements I consider to be in every way misleading, and I doubt if facts can be brought forward to prove any of them. My agent arrived from Gungunhana's kraal yesterday, having left there only nine days ago, and he has made an affidavit to me that the guns and ammunition are in two large tents of his; that during his stay at the kraal he slept on the boxes of guns; that Gungunhana was already using some of them, and that none of the Portuguese at the kraal had anything to do with them.

I then asked the Governor why the *Countess of Carnarvon* was being detained, and he said that it was simply as a guarantee that the fine and duties, amounting to nearly 2,000*l.*, would be paid. That if any other legal guarantee were given, the vessel could leave at any moment; but in the absence of any other guarantee, the ship would be held here.

In touching on the question of pulling down the British ensign on board the *Countess of Carnarvon*, he said that, as the Limpopo

River was not free, a foreign flag could not be flown in it. That it was not flown after they had left the river, because a ship could not very well come to this port as a prize flying a foreign flag. I said that that was no reason why the flag should not have been flown since the arrival of the ship here, and that I must issue instructions to the master on the following day to fly his flag.

The whole difficulty of the case seems to have arisen out of the actions of the Portuguese official on the Limpopo River, who, in the first place, exceeded his powers in accepting a guarantee in lieu of duties, and allowing the goods to proceed inland, and in his then going into the interior without informing the officials of Lourenço Marques of the steps he had taken in the matter. By his not forwarding this information, the officials of this port were kept in the dark concerning his actions, and he allowed them to come to but one conclusion—which they have already come to—that the *Countess of Carnarvon* had attempted and succeeded in smuggling guns and ammunition into Gazaland.

I have the honour to report to your Lordship that I was unable to attend to these matters before I did, as I was taken to Durban insensible with fever on the 2nd March, and could not return until the 20th, so that on my arrival here the *Countess of Carnarvon* had been already in port eight days.

I have, &c.,

The Marquess of Salisbury.

E. W. SMITH-DE LA COUR

(Inclosure.)—*Vice-Consul Smith-De la Cour to the Governor of Lourenço Marques.*

SIR,

Lourenço Marques, March 25, 1891.

I HAVE the honour to lay before you the following facts :—

It appears that the British steam-ship *Countess of Carnarvon* left Port Elizabeth some time in February last to go to Chaichai, on the Limpopo River, and there to discharge guns and ammunition sent to Gungunhana, a native Chief in the country. The said guns and ammunition were a subsidy to the said Gungunhana, for rights obtained in the country from the said Chief.

The said ship arrived at Chaichai on the 18th February, and on the 19th February the guns and ammunition, and some provisions, were landed. On the 21st February a force of 150 soldiers, thereabouts, were placed by the Portuguese officials of the district over the goods landed, and duties were claimed on those goods. The agent in charge of the goods expressed his willingness to pay all legal duties, but as the Portuguese official did not know what the duties amounted to, a written declaration was given to the Portu-

gurse official, stating that when the amount of duties became known the sum due would be paid. This declaration to pay all duties was accepted by the Portuguese official, and a written receipt was given for the guarantee by him to the agent of the goods, and the guns, ammunition, and provisions were allowed to proceed into the interior.

On the 22nd February the said ship *Countess of Carnarvon* left Chaichai and proceeded south.

On the 1st March the said ship *Countess of Carnarvon* again entered the Limpopo River, in ballast, for the purpose of taking the agent of the ship and certain other Europeans to Durban. Some time was consumed in waiting for these passengers, and on the 7th March the Portuguese gun-boat *Marshal MacMahon* arrived in the river and took possession of the ship *Countess of Carnarvon*. Orders were given by the Captain of the *Marshal MacMahon* that the British ensign flying on board the *Countess of Carnarvon* should be pulled down. This order the master of the *Countess of Carnarvon* refused to carry out, and he was again ordered to pull down the ensign, which he did under protest.

The said ship *Countess of Carnarvon* was then taken charge of by officers and men from the *Marshal MacMahon* and brought to this port of Lourenço Marques, where she has been lying under arrest, and not allowed to fly the British ensign, since the 13th March.

Considering the fact that there has been no intention on the part of the agent, or the master of the *Countess of Carnarvon*, to evade any duties which may have been legally due to the Portuguese Government on the guns and ammunition taken to the Limpopo River; and considering the fact that a written declaration was given that all legal duties would be paid on the amount due being named, which written declaration was accepted in lieu of duties for the time being by the Portuguese official in charge of the Limpopo River; I hereby protest, on behalf of Her Britannic Majesty's Government, and on behalf of the owners of the ship and cargo, against the seizure of the British ship *Countess of Carnarvon* by the officials of the Portuguese Government at the Limpopo River, and I also hereby further protest against the detention of the said ship *Countess of Carnarvon* by the officials of the Portuguese Government at Lourenço Marques.

I have, &c.,

E. W. SMITH-DE LA COUE

No. 193.—*Sir G. Petre to the Marquess of Salisbury.*—(Received May 11.)

MY LORD,

Lisbon, May 6, 1891.

I HAVE the honour to transmit herewith to your Lordship a translation by Mr. Duff of a note from the Portuguese Minister for Foreign Affairs, containing his Excellency's reply to your Lordship's despatch of the 23rd ultimo, a copy of which was placed in his hands in compliance with your Lordship's instructions.

As your Lordship will perceive, Senhor du Bocage states that, in view of the grave assertions contained in your Lordship's despatch, he has applied for further information with respect to the interference with the *James Stevenson*, and that as soon as it reaches him he will communicate it to Her Majesty's Government.

As regards your Lordship's charge that the proceedings of the Portuguese authorities in Africa are not in accordance with the language of the Home Government, Senhor du Bocage pleads, in the first place, exaggeration of the reports furnished to your Lordship of the proceedings in question; and, in the second place, justification on account of irregular proceedings on the part of the South Africa Company.

In conclusion, his Excellency gives assurances to the effect that His Majesty's Government will use every endeavour to cause their instructions to be duly carried out in the spirit in which they are given.

I have, &c.,

(For Sir G. Petre),

The Marquess of Salisbury.

W. E. GOSCHEN.

(Inclosure.)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

May 2, 1891.

I LOSE no time in acknowledging the receipt of the note which your Excellency did me the honour to address to me on the 27th ultimo, inclosing a copy of Lord Salisbury's despatch addressed to your Excellency on the 23rd with reference to the seizure of the British steamer *James Stevenson* on the Upper Zambezi.

In view of the grave assertions contained in the Marquess of Salisbury's despatch, I have applied for further information as regards the facts referred to in that despatch, and as soon as it reaches me I shall make an appropriate communication to your Excellency.

I have, however, at once to observe that the doctrine laid down by Lord Salisbury as regards the obligation incumbent upon His Majesty's Government before the signature of the *modus vivendi* of

allowing the free navigation of the Zambezi has always been disputed by the Portuguese Government, who always considered the Zambezi as an exclusively Portuguese river, and not as an international one. The Marquess of Salisbury is aware that it was in a conciliatory spirit, and with the intention of putting an end, once for all, to certain questions which were constantly affecting the good relations which His Majesty's Government are desirous of maintaining with the British Government, that His Majesty's Government proposed and signed the *modus vivendi*, and decreed the free navigation of the Zambezi and Shiré. It was the hope of His Majesty's Government that the British Government would have corresponded to these acts by taking into consideration from a similar conciliatory point of view the conflicts which the previous régime in force in those rivers, as invariably maintained by Portugal, had inevitably given rise to.

The seizure of the *James Stevenson* in the Upper Zambezi is one of these cases; it cannot but be looked upon as if it had occurred previous to the signature of the *modus vivendi*, because, as I had the honour to prove to your Excellency in my note of the 30th ultimo, on the 23rd November, 1890, when this event took place, it was utterly impossible for that document to have come to the knowledge of the authorities of Quillimane.

It is alleged by the Marquess of Salisbury that by the Treaty of the 20th August His Majesty's Government were bound to allow the free navigation of the Zambezi, and that, moreover, the stipulations contained in the *modus vivendi* could not be a matter of surprise to the officers who effected the capture of the British steamer.

As regards the first point, I will repeat to your Excellency what I had already the honour of stating on another occasion, namely, that, in accordance with the Portuguese Constitution, Treaties are only binding on His Majesty's Government, and only become a law of the realm, after they have been approved by the Cortes. As the Treaty of the 20th August had not been approved by the Cortes, and consequently had not become a law of the realm, its stipulations could not be enforced by the Portuguese authorities in the Upper Zambezi.

As regards the second point, the fact that the *modus vivendi* was not the result of any sudden and unexpected political plan, and that the free navigation of the Zambezi had already been stipulated in the Treaty of 1890, would only justify a more or less logical presumption which could not authorize the Portuguese officers serving in the Upper Zambezi to proceed otherwise than in strict conformity with the laws in force.

The Marquess of Salisbury complains that the proceedings of the Portuguese authorities in Africa are not in accordance with the

language I have used to your Excellency. The Marquess of Salisbury knows by personal experience that it is sometimes a difficult matter to have the orders issued from Europe exactly carried out in Africa. It is my belief, however, that the noble Lord, whose information is derived from parties who, owing to their being directly mixed up with the conflicts in question, cannot be free from bias, exaggerates the animosity against British subjects with which he charges Portuguese officials. It would be no wonder that the continual irregular proceedings on the part of the agents of the English Companies in Africa should have excited the Portuguese authorities to such an extent as to induce them sometimes to adopt rigorous measures which, if not illegal, were at least not required. Nevertheless, I at once assure your Excellency that His Majesty's Government will endeavour to cause their orders to be always carried out by their agents in the conciliatory spirit in which they are dictated, and will not fail to duly punish any transgressors.

Your Excellency no doubt understands that this state of things is not less disagreeable to His Majesty's Government than it is to the British Government, and that it can only finally cease when an agreement between the two Governments shall have restored tranquillity to the public mind, and clearly defined the rights and duties of each of the two countries.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE

No. 194.—*The Marquess of Salisbury to Sir G. Petre.*

(Telegraphic.)

Foreign Office, May 12, 1891.

You should inquire upon what grounds the *Countess of Carnarvon*, which we are informed is still detained at Lourenço Marques, continues to be so.

No. 198.—*The Marquess of Salisbury to Sir G. Petre.*

SIR,

Foreign Office, May 14, 1891.

I HAVE to inform you that to-day the *modus vivendi* between Great Britain and Portugal of the 14th November last, which was passed originally for six months, and which consequently expired to-day, was continued for another month in order to give time for the conclusion of the Treaty, and its acceptance by the Portuguese Cortes. At the same time the Articles of the new Convention were agreed upon between the Portuguese Minister and myself,

and were initialled, and now await the approval of Her Majesty and of the Portuguese Government and Cortes.

The principal territorial change is an extension of the English sphere in the neighbourhood of Manica, which is so drawn as to include the whole of the plateau of Manica, saving what may be necessary for the purpose of leaving the Settlement of Massi-Kessi to the Portuguese. As a set-off to this alteration, it has been agreed to make a large change in favour of Portugal of the territorial dominion upon the north bank of the Zambezi above Tété. The whole of the north bank between Tété and Zumbo, as far north as the 15th parallel of south latitude, will be recognized in this Convention as Portuguese. This arrangement will have the advantage of recognizing some historical claims which at one time did exist, though their present scope cannot be very clearly determined, as well as of providing an equivalent for the territory ceded in Manica. The exact extent of this concession northwards is not absolutely decided yet, as a discretion has been left to the Portuguese Government whether they will be satisfied to leave the boundary coincident with the 15th degree of latitude, or whether they will accept a further limited extension northward in accordance with the geographical features of the district, and in exchange for an addition to the British territory on the west bank of the Shiré. Full powers have been reserved of transit across the portion of Portuguese territory which now follows the line of the Zambezi on both its banks below the Settlement of Zumbo. In the present instrument the engagement of the *modus vivendi* which bound Portugal to facilitate and promote transit over the waterways of the Shiré and the Pungwe, and also over the landways which supply means of communication where those rivers are not navigable, is extended to the Limpopo, the Busi, and the Save, and is made perpetual. An export duty of 3 per cent. for goods across Portuguese territory situated between the East Coast and the British sphere has been accepted, with the provision that coin and bullion of all descriptions shall be imported and exported to and from the British sphere free of transit duty. The boundary of the Barotse territory, which is recognized as British, is not defined in this Convention, as the knowledge which we possess is inadequate to enable us to draw the frontier accurately at the present time. The task of examining these details and fixing the line of our western frontier has been assigned to a Joint International Commission.

By a separate instrument it has been agreed that the provisions of the Conference of Brussels for the exclusion of ardent spirits from parts of Africa where they have not yet been introduced shall be applied to the banks of the Zambezi and the Shiré; and arrangements have been made by which Portugal undertakes to lease, for

the purpose of wharves and landing-places, a sufficient quantity of ground at the Chinde mouth of the Zambezi.

The other provisions of the Treaty of the 20th August, which was never submitted to the Cortes for ratification, have been reinserted in the present instrument. With the exception of the alternative line of frontier to the north of the Zambezi, which I have already mentioned, all points at issue between the two Governments are resolved in the accompanying stipulations; but the signature of them must be deferred until the approval of the Cortes has been obtained, so that the inconveniences of a Treaty which has been signed but not ratified may be avoided in the present case.

I am, &c.,

Sir G. Petre.

SALISBURY.

No. 200.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, May 16, 1891.

I INCLOSE a letter from the South Africa Company's representatives in South Africa, giving detailed accounts of the circumstances attending the seizure of the steam-ship *Countess of Carnarvon* by the Portuguese authorities in South-East Africa, and of the treatment accorded to the party proceeding to Mashonaland via the Pungwe River under the charge of Sir John Willoughby.

I am, &c.,

Sir G. Petre.

SALISBURY.

(Inclosure 1.)—Extract from Cape Office Letter, dated April 22, 1891.

I AM desired by Mr. Rhodes to point out to the Board the circumstances under which the *Countess of Carnarvon* was seized and taken as a prize to Delagoa Bay.

After the guns had been landed at the King's landing-place, and the day following Captain Buckingham's departure, eight Portuguese officers (Europeans) and 150 Portuguese soldiers appeared on the scene and placed sentries over the hut where the guns were stored, saying they could not be released until the necessary customs dues had been paid. No objection whatever to guns being landed or traded in was made by them, or indeed ever would be made by a Portuguese official. The trade in arms and liquor is a source of revenue on both coasts, and hence it appeared quite customary to them that arms should be landed. Their contention was entirely one of customs dues.

Mr. Pawley protested against this, stating that the river was the

King's, and that he had given us permission to use it, and also that there was not even a Portuguese Custom-house on the river.

The Portuguese, however, refused to release the guns pending payment, and Mr. Pawley thereupon wrote out the document stating that, should the Portuguese claim to customs dues be justified, they would be paid by us.

This document was accepted by the Portuguese officers as quite satisfactory, the guard was withdrawn, the guns were freed, and they left.

Some fourteen days later, when the *Countess of Carnarvon* again entered the river with only the intention of bringing our people away, and thus saving them a land journey over swamps, and with not even a gun or a cartridge on board her, she was seized, our flag peremptorily ordered to be hauled down, our people transferred to the Portuguese gun-boat as prisoners, where they were infamously treated, and the *Countess of Carnarvon* taken to Delagoa Bay, where she is still detained, to our loss and damage. One of the crew, a man with wife and children, for whom we are bound to make some provision, has since died in consequence of the treatment he had received.

Sir John Willoughby authoritatively cables us of a fresh breach of international law, and of a further evidence of the contempt with which the Portuguese regard the *modus vivendi*, in so far as it is to limit their actions, although to us it is to be stringently applied.

The steam-ships *Agnes* and *Shark*, belonging to Messrs. Johnson, Heany, and Borrow, accompanied by two lighters, and attended by steam-ship *Norseman*, arrived at Delagoa Bay on the 13th April. Messrs. Johnson had sent on these two little steamers and two lighters 90 tons of groceries and food-stuffs, 94 native labourers, and 4 artizans—2 carpenters and 2 blacksmiths.

The crews of the steamers and the artizans and native labourers were unarmed, with the exception of one revolver belonging to the captain. There were some picks and spades for road-making purposes. Sir John Willoughby had been placed by Messrs. Johnson in temporary charge of the whole party.

Sir John landed at Beira, and requested permission to proceed up the Pungwe River to Mashonaland and the British sphere. This permission was immediately refused him by the Portuguese Governor, who informed Sir John that he was acting under orders from the Lisbon Government. Sir John then produced a copy of the *modus vivendi*, and pointed out Articles I and II, wherein, as the Board are aware, Portugal pledges herself to throw open the Pungwe, and to render us every assistance to form an overland route to Fort Salisbury. In fact, these two Articles were the *raison*

d'être of the *modus vivendi* itself. He tendered the 3 per cent. customs dues, and claimed the privileges of that undertaking (the *modus vivendi*). The Governor again refused. Sir John requested that his refusal be given him in writing. This was also refused. Thereupon Sir John Willoughby, acting throughout under the written instructions of his Excellency the High Commissioner, informed the Portuguese Governor that, at the expiration of twenty-four hours, should he not receive a written refusal of permission to proceed, he would do so, and would continue unless fired upon and forcibly prevented.

At the expiration of the period named, the two steamers and the lighters, with a crew of sixteen hands, and the natives, an unarmed defenceless force, towing the two lighters laden with 90 tons of food-stuffs, steamed up the Pungwe. They were immediately fired upon, stopped, and seized, the red ensign flying over them hauled down, and the Portuguese flag hoisted. The sixteen hands forming the crew were landed and imprisoned at Beira in the fort. The natives and Sir John Willoughby were released and allowed to return to the *Norseman*, which was still lying in the bay.

Mr. Rhodes bids me inform the Board that he has issued instructions to Colonel Pennefather to hand over the buildings at Massi-Kessi to the Portuguese when they arrive there.

Protection to Mutassa and to our miners and diggers in Manica must, of course, be given, but as regards Massi-Kessi itself, it will be handed over to the Portuguese. We have had four men there in charge of the late Mozambique Company's stores and tin-house, who will be withdrawn when the Portuguese are ready to take them over. Otherwise, after their abandonment by Bezende the natives would have stolen everything.

(Inclosure 2.)—Sir J. Willoughby to Dr. Harris.

(Telegraphic.)

Durban, April 22, 1891.

ARRIVED here. Thanks for wire. Have seen Portuguese statements. All absolutely false. Only reasons for stopping us, river not open to any one, and in no case to Chartered people, and when river may be open to foreign nations their vessels must fly Portuguese flag or none at all. I explained fully my mission—road-making party and Imperial mail for Mashonaland. They fired blank, as they previously warned me, shot to follow. I could not proceed after first shot, as *Limpopo* had caught up rear lighter, pointing Krupp gun, 50 yards' range, at defenceless crowd (natives), completely hemmed in by three ships full of machine-guns and armed men, besides big guns. As it was, *Liberal* fired rifle-shot

with bullet, though if aimed for us fell wide of mark. *Agnes*, lighters, *Shark* in possession of fifty armed soldiers, and no man allowed to leave. The *Agnes* repeatedly offered duty, myself, Andrews, and Johnson, agents to Governor and Customs, always refused, and before attempting to proceed gave money to agents, and authorized them to pay dues on demand if they changed their minds. Should I have got through, did not even take five rifles and 1,000 rounds, as originally intended, for food purposes. Cargo seized merely food, tools, iron stores, coach. Leaving by *Tyrian* to-morrow.

No. 201.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, May 17, 1891.

HER Majesty's Consul at Beira reports that the Portuguese authorities are still detaining the launch and the lighter until the fine has been paid. You should urge that, in accordance with the engagement to that effect which has already been given, instructions for their immediate release may be issued. Should it be necessary, a bond might be given for payment of the fine, subject to the decision of the proper Court.

No. 203.—Sir G. Petre to the Marquess of Salisbury.—(Received May 19.)

MY LORD,

Lisbon, May 14, 1891.

I HAVE the honour to inclose herewith a copy of a note I addressed to the Minister for Foreign Affairs on the 12th instant, inquiring the reasons for which the British steamer *Countess of Carnarvon* was still detained at Lourenço Marques, together with a translation of the reply given by Senhor du Bocage.

I have, &c.

(For Sir G. Petre),

The Marquess of Salisbury.

W. E. GOSCHEN.

(Inclosure 1.)—Sir G. Petre to Senhor du Bocage.

M. LE MINISTRE,

Lisbon, May 12, 1891.

IT has been brought to the notice of Her Majesty's Government that the British steamer the *Countess of Carnarvon* is still detained by the Portuguese authorities at Lourenço Marques.

I have accordingly been directed by the Marquess of Salisbury

to ask your Excellency to be so good as to furnish his Lordship with the reasons for her continued detention.

I avail, &c.

(For Sir G. Petre),

Senhor du Bocage.

W. E. GOSCHEN.

(Inclosure 2.)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

May 12, 1891.

I HAVE to acknowledge the receipt of the note which your Excellency addressed to me to-day, inquiring why the British steamer *Countess of Carnarvon* was still detained by the authorities at Lourenço Marques.

In reply to that note, I lose no time in stating to your Excellency that I am at once going to ask for information on this matter through the Marine Department, and I will forward the same as soon as it reaches me; but I must also observe to your Excellency that the delay is no doubt due to the want of some document or deposition which is absolutely requisite for the prosecution of the proceedings which are pending before the Courts at Lourenço Marques. It is even possible that the fact of the authorities at Port Elizabeth having refused to communicate to the Portuguese Vice-Consul the documents concerning the shipment of the 1,000 rifles and 20,000 cartridges in that vessel for the port of Beira, as mentioned in the official Gazette of Cape Colony of the 17th last March, may have tended to cause that delay. Had the proper authorities been willing to forward to the Portuguese Consular Agent the documents relating to this matter which the legislation in force in that Colony requires should be carried by ships, they would have facilitated to a great extent the prosecution of the proceedings, inasmuch as they would thus have furnished essential data either for speedily proving the crime that had been committed, or else for showing the injustice of the charge brought against the vessel.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE.

No. 205.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, May 19, 1891.

THE following telegram has been received from the Vice-Consul at Lourenço Marques :—

" May 18, 1891.

" Judge's decision given to-day *re Countess of Carnarvon* that, failing payment of fines and duties amounting to 3,400*l.*, vessel will be sold in ten days."

No. 206.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

*Foreign Office, May 19, 1891.**" COUNTESS OF CARNARVON."*

You should remind the Portuguese Government that at the time of landing arms a bond of 2,000*l.* was given to one of their officials, and you should urge that the vessel be at once released.

No. 208.—The Marquess of Salisbury to Sir G. Petre.

(Telegraphic.)

Foreign Office, May 20, 1891.

WITH reference to my telegram of yesterday, you should inform the Minister for Foreign Affairs that we require further information, and that we must consider the Portuguese Government as being responsible for any losses the owners may suffer. You should also request that the auction of the vessel may be delayed until we have had an opportunity of examining the judgment.

*No. 209.—The Marquess of Salisbury to Vice-Consul
Smith-De la Cour.*

(Telegraphic.)

Foreign Office, May 22, 1891.

ORDERS telegraphed 20th instant from Lisbon to suspend sale of *Countess of Carnarvon*.

*No. 211.—Sir G. Petre to the Marquess of Salisbury.—(Received
May 25.)*

MY LORD,

Lisbon, May 20, 1891.

I HAVE the honour to inclose herewith copy of a note which, in accordance with the instructions contained in your Lordship's telegram of the 17th instant, I addressed to the Portuguese Minister for Foreign Affairs on the subject of the continued detention at Beira

of the steam-launch and lighter which were seized at that port on the 15th ultimo, together with a translation of a note which I have just received from Senhor du Bocage in reply.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE

(*Inclosure 1.*)—*Sir G. Petre to Senhor du Bocage.*

M. LE MINISTRE,

Lisbon, May 18, 1891.

I HAVE the honour to inform your Excellency that Her Majesty's Government have received a report from Her Majesty's Consul at Beira to the effect that the launch and lighter belonging to the party on board the *Norseman*, which were seized by the Portuguese authorities on the 15th ultimo, are still detained at the above port.

From the note which your Excellency was good enough to address to this Legation on the 22nd ultimo, Her Majesty's Government understood that his Excellency the Minister of Marine had given an assurance to the effect that orders would be sent for the release of the above-mentioned vessels. I am therefore directed by the Marquess of Salisbury to urge your Excellency to cause the necessary steps to be taken for the fulfilment of that assurance, and to send fresh instructions for their immediate release.

His Lordship desires me to add that, should the cause of the continued detention of these vessels be the non-payment of a fine for alleged infraction of the Portuguese Customs Regulations, a bond might be given, if necessary, by their owners for the payment of the fine subject to the decision of the proper Tribunal.

I avail, &c.,

(For Sir G. Petre),

Senhor du Bocage.

W. E. GOSCHEN.

(*Inclosure 2.*)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

May 19, 1891.

In a note which your Excellency addressed to me yesterday with respect to the small vessels belonging to the steamer *Norseman*, which were seized by the Portuguese authorities at Beira on the 15th ultimo, your Excellency states that the British Consul at that port has reported that the small vessels in question were still detained, in spite of the assurance given by me that the necessary orders would be sent to put an end to their detention.

I know positively that express orders were sent in this sense through the Marine Department, and I can only ascribe the delay

which has occurred in carrying them out to the absence of regular and frequent communications between Mozambique and Beira; but notwithstanding this I will press for a repetition of the orders, adding thereto the communication made to me by your Excellency in the name of the British Government, that the owners of the vessels are willing, in the event of the detention being due to the non-payment of the duty, to enter into an engagement beforehand as to effecting the payment in question, subject, however, to the judgment to be given by the proper Courts.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE.

No. 215.—*Sir G. Petre to the Marquess of Salisbury.*—(Received May 28.)

MY LORD,

Lisbon, May 25, 1891.

IN my despatch of the 21st instant I had the honour to transmit to your Lordship copies of two notes which I had addressed to the Portuguese Minister for Foreign Affairs on the subject of the continued detention of the British steam-ship the *Countess of Carnarvon* by the Portuguese authorities at Lourenço Marques, and the decision of the Judge at that port to the effect that, failing the payment of the fine and duty imposed upon the vessel, she should be sold in ten days.

I have now the honour to inclose a translation of a note which I have received from Senhor du Bocage in reply to the above-mentioned notes, stating that, in order to provide for all eventualities, orders have been sent to suspend the auction of the vessel until further orders.

His Excellency adds that the Portuguese authorities have been called upon to report as to the delivery to a Portuguese official of a bond for 2,000*l.* on the occasion of the landing of the arms conveyed up the Limpopo by the *Countess of Carnarvon*.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE.

(Inclosure.)—*Senhor du Bocage to Sir G. Petre.*

(Translation.)

Foreign Department, Lisbon,

YOUR EXCELLENCY,

May 21, 1891.

IN reply to the notes which your Excellency addressed to me on the 19th and 20th instant, with reference to the detention at Lourenço Marques of the English steamer *Countess of Carnarvon*, I lose no time in stating to your Excellency that I acquainted the Minister of Marine and of the Colonies with this matter, and that

orders have been sent in the sense desired by the British Government.

The first of the two notes above mentioned had reference to the offers made by the British Vice-Consul, and as those offers could not but be in the sense of guaranteeing the payment of the fine in order to obtain the release of the vessel, for this reason the Governor of the district was authorized to cause the vessel to be released in case the British Vice-Consul should guarantee the payment of the fine. By this means the wishes expressed by your Excellency would be satisfied.

As it is possible, however, that such might not have been the offer made by the Vice-Consul, and referred to in your Excellency's note of the 19th instant, and in order to provide for all eventualities, orders were sent that, in any case, the vessel should not be put up to auction until further orders; moreover, a detailed report has been asked for with respect to the delivery, to a Portuguese authority, of a bond for 2,000*l.* on the occasion of the landing of the arms conveyed by the *Countess of Carnarvon*.

I avail, &c.,

Sir G. Petre.

J. V. BARBOZA DU BOCAGE

No. 221.—*Sir G. Petre to the Marquess of Salisbury.*—(Received June 6.)

MY LORD,

Lisbon, June 3, 1891.

YESTERDAY the Minister for Foreign Affairs, Count Valbon, presented to the Chamber of Deputies the bases of the proposed Convention initialled by your Lordship and M. de Soveral on the 28th ultimo, together with a Bill authorizing the Government to sign and ratify a Treaty between Portugal and Great Britain in conformity with those bases. His Excellency at the same time laid a White Book, one copy of which I forward to your Lordship to-day by post, containing the correspondence and documents having reference to the negotiations which have taken place since the month of October last for a fresh Treaty, and also the *modus vivendi*, and to the various incidents and conflicts which have occurred in the interval in the Province of Mozambique.

The presentation of these documents was accompanied by a Ministerial Report, of which I have the honour to inclose a translation.

The reading of the bases of the Treaty was listened to in silence, and gave rise to no observations or demonstration of any kind. They were referred to the Committees of Colonial, Foreign Affairs, and Finance, which are to meet to-day for the purpose of considering them and reporting to the Chamber. It is stated that Major Carlos

du Bocage, who is a Deputy, has been chosen as Reporter. That the Committees will act promptly and will recommend the ratification of the bases is a foregone conclusion, and a similar communication will then be made by the Ministry to the House of Peers.

The same unanimity of feeling in regard to the expediency of signing as quickly as possible a Convention with Great Britain in the terms agreed upon in London, which is reported by Mr. Crawford in his despatch to me of the 2nd instant as prevalent in the north, exists here to the full extent.

To any one who was a witness, as I was, of the popular excitement and indignation to which the Treaty of the 20th August gave rise in the month of September last, the change that has come over public opinion in regard to the settlement of the differences with England is very striking and remarkable. The fact is, the bitter experiences of the last eight months, and the present deplorable financial and industrial condition of the country, have opened the eyes of all classes to the fact that Portugal committed an enormous error in rejecting the Treaty of the 20th August, and that an error of that nature cannot be repeated with impunity.

I may describe the present state of feeling generally in regard to the arrangement with England as one of relief and satisfaction.

I have, &c.,

The Marquess of Salisbury.

GEORGE G. PETRE.

No. 229.—Sir G. Petre to the Marquess of Salisbury.—(Received June 16.)

(Extract.)

Lisbon, June 11, 1891.

I HAVE the honour to inclose the Anglo-Portuguese Treaty which was signed this day at the Foreign Ministry by Count Valbom, the Portuguese Minister for Foreign Affairs, and myself, after collation with the bases initialled in London on the 28th ultimo by your Lordship and M. de Soveral. These bases having been approved, as I have already had the honour of informing you, by the Chamber of Deputies on the 8th instant, were also approved by the House of Peers yesterday evening by a very large majority.

The Law authorizing the signature and ratification of the Treaty was sanctioned by the Council of State, and signed by the King this morning.

I inclose copies also of the notes exchanged between Count Valbom and myself after we had signed the Treaty.

The Marquess of Salisbury.

GEORGE G. PETRE.

(*Inclosure 1.*)—*Treaty between Great Britain and Portugal, signed at Lisbon, June 11, 1891.*

[See page 27.]

(*Inclosure 2.*)—*Count de Valbom to Sir G. Petre.*

(Translation.)

YOUR EXCELLENCY,

Lisbon, June 11, 1891.

THE Undersigned, His Most Faithful Majesty's Minister for Foreign Affairs, formally declares, with reference to the wish expressed by Her Britannic Majesty's Government, that he will lease for the term of ninety-nine years, to persons named by the British Government, land at the Chinde mouth of the Zambezi, to be used under special regulations, for the landing, storage, and transhipment of goods. Sites, price, and regulations will be arranged by three Commissioners, to be named one by each of the two Governments, and the third by a neutral Power to be selected by them.

In case of difference of opinion among the Commissioners, the decision of the majority to be final.

The Portuguese Government trust that the British Government will have no hesitation in granting, whenever an application to that effect may be addressed to it, to persons named by the Portuguese Government, land under identic conditions, and for an identic purpose, at a point on the south-west shore of Lake Nyasa, which may, by agreement between the two Governments, be deemed adequate for that object.

I avail, &c.,

Sir G. Petre.

COUNT DE VALBOM.

(*Inclosure 3.*)—*Sir G. Petre to Count de Valbom.*

M. LE MINISTRE,

Lisbon, June 11, 1891.

I AM instructed by Her Majesty's Principal Secretary of State for Foreign Affairs to inform your Excellency that Her Majesty's Government, in conformity with the desire expressed by the Portuguese Government, undertake on their demand to lease for ninety-nine years, to persons named by them, land in some spot on the south-western coast of Lake Nyasa, to be agreed upon between the two Governments, on similar conditions and for similar purposes as the land which the Portuguese Government undertake to lease for ninety-nine years to persons named by Her Majesty's Government at the Chinde mouth of the Zambezi, to be used under regulations for the landing, storage, and transhipment of goods. The sites, price, and regulations to be arranged by three Commis-

sioners, to be named one by each of the two Governments, and the third by a neutral Power to be selected by them.

I avail, &c.,

Count de Valbom.

GEORGE G. PETRE.

(*Inclosure 4.*)—*Sir G. Petre to the Count de Valbom.*

M. LE MINISTRE,

Lisbon, June 11, 1891.

IN view of the great importance, in the interests of British and Portuguese commerce, of an easy and economical means of transport between the sphere of influence reserved to Great Britain on the south of the Zambezi and the sea-coast, I am instructed to state that it would be satisfactory to Her Majesty's Government if you could give me an assurance that the traffic rates to be charged on the railway to be constructed under Article XIV of this Convention shall not be unreasonably in excess of the proportionate rates per mile charged on other railway systems in South Africa.

I avail, &c.,

Count de Valbom.

GEORGE G. PETRE.

(*Inclosure 5.*)—*Count de Valbom to Sir G. Petre.*

(Translation.)

YOUR EXCELLENCY,

Lisbon, June 11, 1891.

THE Undersigned, His Most Faithful Majesty's Minister for Foreign Affairs, formally declares, with reference to the wish expressed by the British Government, that the tariff rates of the railway to be constructed in compliance with Article XIV of the Treaty signed to-day should not be excessive, that it is the intention of the Portuguese Government that the tariff rates on the railway in question should be moderate, and on a par with those of other African railways, without prejudice to the capital employed, and to certain other circumstances which must be had in consideration.

I avail, &c.,

Sir G. Petre.

COUNT DE VALBOM.

(*Inclosure 6.*)—*Count de Valbom to Sir G. Petre.*

(Translation.)

YOUR EXCELLENCY,

Lisbon, June 11, 1891.

THE Undersigned, His Most Faithful Majesty's Minister for Foreign Affairs, agrees, with reference to the wish expressed by Her Britannic Majesty's Government, that the importation of ardent spirits to either bank of the Zambezi and Shiré, by those rivers, whether on the Portuguese or British sphere of influence, shall be

interdicted, and that the authorities of the two States shall agree upon the arrangements necessary to prevent or punish any infractions of these provisions.

I avail, &c.,

Sir G. Petre.

COUNT DE VALBOM.

(*Inclosure 7.*)—*Sir G. Petre to the Count de Valbom.*

M. LE MINISTRE,

Lisbon, June 11, 1891.

WITH reference to the understanding between Her Britannic Majesty's Government and the Government of His Most Faithful Majesty on the subject of the importation of ardent spirits to either bank of the Zambezi and the Shiré, I have the honour to inform your Excellency that Her Majesty's Government agree that the said importation by those rivers, whether in the British or Portuguese sphere, shall be interdicted, and that the authorities of the two States shall agree upon the arrangements to prevent and punish infractions of this provision.

I avail, &c.,

Count de Valbom.

GEORGE G. PETRE

No. 234.—The Marquess of Salisbury to Mr. W. E. Goschen.

SIR,

Foreign Office, June 19, 1891.

WITH reference to Sir G. Petre's despatch of the 24th February last relative to the case of the *James Stevenson*, I desire to make the following observations:—

His Excellency's refusal to admit the claim for compensation advanced by Her Majesty's Government was based on the assumption that the vessel was proved to be guilty of a contempt for the sovereignty of Portugal in Portuguese waters, shown by her wilfully passing their station on the south bank of the Ruo without stopping to be visited by the officials, in spite of three shots being fired as a warning to her to bring-to.

The statements upon which the Portuguese Government rely, and upon which they seek to justify the action of their authorities, are made by Portuguese officers and local officials, who are admittedly worthy of credit. On the other hand, Her Majesty's Government rely on the evidence of the British subjects on board the steamer, including several thoroughly reliable and independent witnesses, whose testimony is equally to be trusted.

The Portuguese Government, in stating that the case is proved against the vessel, treat the evidence of their own officers as conclusive; Her Majesty's Government, on their part, think that the evidence on both sides gives correctly the impression of the

witnesses, but that it shows an irreconcilable conflict as to what actually occurred.

It is easy to understand that persons on board and on shore may have differed as to the position of the vessel when the alleged shots were fired; but Her Majesty's Government cannot admit that it is proved that the Portuguese version is correct in spite of the contradiction of the British crew and passengers.

Apart from this controverted point, there are two distinct grounds upon which Her Majesty's Government found the claim for compensation:—

In the first place, it is clearly proved, both by the evidence of the Portuguese and British witnesses, that the *James Stevenson* was boarded by a Portuguese naval officer (the Midshipman Senhor Manuel Barba de Menezes) after she had anchored within the waters of the British Protectorate. This violation of British territorial waters constitutes an undoubted breach of international law. It was an act which cannot be justified, and for which reparation is clearly due.

Secondly, even if the vessel had been in fault, as is contended by Portugal, the Portuguese authorities exceeded the limits of action warranted by the alleged offence. Senhor du Bocage states that if she had stopped she would merely have been subjected to an examination of the cargo; the default of which she was supposed to be guilty was, therefore, a breach of Customs Regulations. It would have been a strong measure, under these circumstances, to have seized the vessel on her return voyage, and it would be difficult to adduce sufficient justification for the seizure; but there was absolutely no justification for the arrest and prolonged imprisonment of the captain and officers, who were practically treated as criminals. The Portuguese officers dealt with the case, not in a judicial but in a hostile spirit, and treated the subjects of a friendly Power in a manner altogether incommensurate with the alleged offence.

I have to request you to address a note to the Minister for Foreign Affairs as a formal reply to Senhor du Bocage's communications of the 5th and 16th February, embodying these observations, and stating that, in making the moderate demand of 1,450*l.* as compensation for the injured officers, Her Majesty's Government consider that they are reducing within the most moderate limits a claim based on a palpable violation of British territorial waters, and on the almost vindictive treatment of British subjects for an unproved offence.

I am, &c.,

W. E. Goschen, Esq.

SALISBURY.

No. 241.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, June 22, 1891.

I TRANSMIT herewith copy of a despatch from the High Commissioner for South Africa respecting the case of the *Countess of Carnarvon*.

I am, &c.,

Sir G. Petre.

SALISBURY.

*(Inclosure 1.)—Governor Sir H. Loch to Vice-Consul
Smith-De la Cour.*

(Telegraphic.)

Cape Town, May 22, 1891.

IF *Countess of Carnarvon* is released at once, British South Africa Company bind themselves to abide by any decision that may be arranged by the London and Lisbon Cabinets with reference to the whole transaction, and to pay whatever amount may be decided on by the two Governments.

*(Inclosure 2.)—Vice-Consul Smith-De la Cour to Governor Sir H.
Loch.*

(Telegraphic.)

Lourenço Marques, May 23, 1891.

"COUNTRESS OF CARNARVON" handed over to me to-day.

No. 244.—The Marquess of Salisbury to Sir G. Petre.

SIR,

Foreign Office, June 23, 1891.

I HAVE pleasure in expressing to you my approval of your exertions in connection with African affairs, and of the tact and conciliatory spirit which you have shown during the long and difficult negotiations which have resulted in the conclusion of the recent Convention with Portugal.

I am, &c.,

Sir G. Petre.

SALISBURY.

**PORTUGUESE DECREE, making Alterations in certain
Customs Duties in the Province of Mozambique.—Lisbon,
January 29, 1891.**

(Translation.)

WHEREAS it has been represented to me by the Governor-General of the Province of Mozambique that it is imperative that certain customs duties in force in the Custom-houses at Lourenço Marques and Inhambane should be increased, while others should be

reduced, not only at the Custom-houses referred to, but also in all parts of the province, with the exception of the district of Cape Delgado, and that this should be carried out independently of a general reform of the Customs Tariffs in force in the said colonial possession ;

In conformity with the proposition of the Commissioner charged with the study and reform of colonial customs duties ;

Having heard the Consultative Committee of the Colonies, in view of a vote of the Council of Ministers, and by virtue of the faculty conferred upon me by § 1 of Article 15 of the First Additional Act to the Constitutional Charter of the Monarchy ;*

I hereby decree as follows :

ART. 1. Alcohol, pure or prepared spirit, liquors, and any other kind of distilled beverages, as also gunpowder, guns, and gun-barrels, revolvers, pistols, and pistol-barrels shall be subject, in the Custom-houses of the districts of Inhambane and Lourenço Marques, to the duties fixed in the Table annexed to this Decree ; and the same shall be accounted for to the Minister and Secretary of State of the Marine and Colonial Department.

2. Tobacco in leaf or manufactured shall, in the Custom-houses of the Province of Mozambique, with the exception of the district of Cape Delgado, be subject to the duties indicated in the Table alluded to in the preceding Article.

3. Alcohol and pure spirit, the produce of the continental part of the kingdom, shall enjoy a differential benefit of 50 per cent. of the duties specified, provided it be of wine, and of a strength not exceeding 60 degrees centigrade.

4. The production of rectified alcohol shall be subject, in the districts of Inhambane and Lourenço Marques, to the tax of 300 reis fixed under No. 1 of the Table annexed to this Decree.

5. The merchandise mentioned in Article 1 of this Decree, when brought to the Custom-houses of the districts of Inhambane and Lourenço Marques, and having proceeded from other districts of the Province of Mozambique, will be subject to a payment of the difference between the duties already paid thereon and those fixed by this Decree. The same procedure will be followed at the Custom-houses aforesaid, as well as at others in the Province of Mozambique, as regards tobacco coming from the district of Cape Delgado.

6. The products described under Nos. 1 to 4 of the Table annexed to this Decree, which, at the date of the publication of the Decree in the "Diario do Governo,"† are already in the Customs

* Vol. L, page 1274.

† Published in the "Diario" of January 31 1891.

warehouses at Inhambane and Lourenço Marques, or which are on their way to those destinations, will be dealt with according to the Tariffs hitherto in force.

The products described under Nos. 5 to 7 of the aforesaid Table, which are already in the Customs warehouses in any part of the Province of Mozambique, or are on their way thither, (the district of Cape Delgado being excepted in both cases) shall be dealt with in accordance with the terms of Article 38 of the Preliminary Rules respecting Customs of the said province, annexed to the Decree of the 30th July, 1877.*

7. All legislation to the contrary is hereby revoked.

The Minister and Secretary of State for the Marine and Colonial Department is charged with the execution of this Decree.

At the Palace, on the 29th January, 1891.

THE KING.

ANTONIO JOSÉ ENNES.

TABLE referred to in the Decree of this date, and which is an integral part of the said Decree.

		Reis.	
1	Alcohol, pure or prepared spirit, and any other kind of distilled beverages, in vessels of any kind	Litre ..	300
2	Gunpowder	Kilog. ..	180
3	Guns, gun-barrels, and revolvers	Each ..	3,000
4	Pistols, and barrels of pistols	" ..	800
5	Tobacco, in leaf	Kilog. ..	250
6	" manufactured	" ..	800
7	" cigars.. .. .	" ..	1,600

Marine and Colonial Department, January 29, 1891.

ANTONIO JOSÉ ENNES.

ACT of the Hawaiian Islands, to regulate Chinese Immigration.
[Chap. 28.] [December 20, 1887.]

BE it enacted by the King and the Legislature of the Hawaiian Kingdom :

§ 1. In this Act "Chinese" means any person born of Chinese parents, and any native of China or its dependencies, or of any island in the China Seas, born of Chinese parents.

§ 2. From and after the 1st day of March, A.D. 1888, no vessel coming from parts beyond the Hawaiian Islands shall be allowed to land Chinese at any port in this kingdom, unless said Chinese are provided with permits to enter the kingdom, granted, signed, and sealed by the Minister of Foreign Affairs of the Hawaiian Kingdom under and subject to regulations to be prepared and published by him, by and with the consent of the Cabinet in Council, except as hereinafter provided, and excepting all Chinese to whom or for whom permission to enter the kingdom has heretofore been granted, as shall be shown by the records of the Office of the Minister of Foreign Affairs.

§ 3. If any master of a vessel shall land or attempt to land any Chinese without such permit as aforesaid, he shall be liable, on conviction, to a penalty of 200 dollars for each Chinese unlawfully landed or attempted to be landed; and such passenger landing or attempting to land shall be liable, on conviction, to a penalty of 50 dollars, and the master of such vessel shall be compelled to re-embark such Chinese as may have unlawfully landed, and upon his neglect or refusal so to do, after notification by the Minister of Foreign Affairs, he shall be liable, on conviction, to a penalty of 200 dollars, or to imprisonment for a term not exceeding thirty days.

§ 4. Any person who shall knowingly bring into, aid or abet in bringing into, or cause to be brought into the kingdom any Chinese not lawfully entitled to enter it, shall be liable, on conviction, to a penalty of 200 dollars for each Chinese unlawfully brought in, or to imprisonment for a term not exceeding thirty days.

§ 5. The Minister of Foreign Affairs shall, subject to the regulations aforesaid, grant permits to enter the kingdom to Chinese, as follows:—

1. To any Chinese resident in this kingdom at the date of the passage of this Act, and to such as may become residents by virtue of its operation; provided that such person shall have resided within the kingdom for two years, and provided that it shall appear to the satisfaction of said Minister that said applicant is not a vagrant, criminal, professional beggar, user of opium, or one likely to become a charge upon the country.

2.* To such Chinese, not to exceed 300 in any one quarter year, as said Minister may, with the concurrence of the Cabinet and upon the requisition of the Board of Immigration, deem advisable and beneficial to the industrial and agricultural interests of the kingdom to admit.

3. To domestic servants accompanying their employers, such employers not being Chinese.

4. To such other persons as may wish to sojourn temporarily in

* Amended by Act of November 14, 1890, page 899.

the kingdom, as travellers or as merchants having business interests in this kingdom; provided that such sojourn shall not exceed six months, and provided that such person so permitted to enter shall give a bond to said Minister in the sum of 500 dollars liquidated damages, conditioned that he will leave the kingdom within six months, and if he shall be found within the kingdom after the expiration of six months he shall be deemed guilty of a misdemeanour, and shall, upon conviction, be imprisoned at hard labour for a term not to exceed six months. For each permit granted under this section the Minister of Foreign Affairs shall be paid a fee of 5 dollars.

§ 6. Permits to enter the kingdom shall also be granted by the Minister of Foreign Affairs, His Majesty's Consuls-General at Hong Kong and San Francisco, and His Majesty's Consul or Commercial Agent at Shanghai, to any Chinese woman of good moral character, or to the wives of Chinese residents in the kingdom, and to Chinese children under 14 years of age whose parents are residing in the kingdom, or who accompany their parents, and to families consisting of parents and children, as aforesaid. No charge will be made for permits granted hereunder.

§ 7. The Minister of Foreign Affairs shall also grant permits to enter the kingdom without charge to ministers and teachers of any Christian denomination who are properly identified as such.

§ 8. This Act shall not apply to diplomatic or other officers of the Chinese or other Governments travelling upon the business of that Government, whose credentials shall be taken as an equivalent to the permit in this Act mentioned, and shall exempt them and their body and household servants from the provisions of this Act as to other Chinese.

§ 9. All permits issued under the provisions of this Act are personal and not transferable, and a transfer or attempted transfer shall be deemed to be a cancellation and a forfeiture; and the person making or attempting to make such transfer, and any person aiding or abetting him in so doing, shall be liable, on conviction, to a penalty of 200 dollars, or to imprisonment for a term not exceeding six months at hard labour.

§ 10. Permits issued under this Act shall be surrendered by the holder, on his entering the kingdom, to the Collector-General of Customs, or other Collector of Customs, who shall hand them to the Minister of Foreign Affairs for verification.

The Collector-General or any Collector of Customs shall have the authority to detain any person detected in, or reasonably suspected of, a violation of any of the provisions of this Act, and to hold him until a warrant of arrest can be obtained.

§ 11. All offences under this Act shall be heard and determined

and all penalties recovered, except as provided in § 5, in a summary manner before any Police Magistrate or District Justice, subject to the right of appeal.

§ 12. All moneys received by the Minister of Foreign Affairs under this Act shall from time to time, after audit and payment of the necessary expenses for carrying out its provisions, be paid into the Treasury to the credit of the "Chinese Immigration Fund."

§ 13. An Act entitled "An Act to regulate the landing of passengers arriving at the different ports in this kingdom," approved the 1st August, 1878, being Chapter 20 of the Session Laws of 1878, and all laws or parts of laws in conflict with the provisions of this Act, and all "Regulations for the control of Chinese immigration," heretofore issued by the Minister of Foreign Affairs, by virtue of the authority conferred upon him by a Resolution of His Majesty in Cabinet Council passed on the 13th day of July, 1883, and all amendments thereto, are hereby repealed

§ 14. This Act shall take effect on the 1st day of March, A.D. 1888.

Approved this 20th day of December, A.D. 1887.

KALAKAUA REX.

By the King:

L. A. TRUBSTON, *Minister of the Interior.*

ACT of the Hawaiian Islands, to authorize the Introduction of Chinese Agricultural Labourers and to amend Chapter 28 of the Laws of 1887, entitled "An Act to regulate Chinese Immigration."

— [November 14, 1890.]

BE it enacted by the King and the Legislature of the Hawaiian Kingdom:

§ 1. That paragraph 2 of section 5 of an Act entitled "An Act to regulate Chinese Immigration," approved on the 20th day of December, 1887,* being Chapter 28 of the Laws of 1887, be and the same is hereby amended to read as follows:—

"2. The Minister of Foreign Affairs, upon the written approval of the Board of Immigration as certified by its Secretary, shall issue, from time to time, special permits for persons of Chinese birth to enter and reside within this kingdom upon the terms and conditions hereinafter prescribed. Such permits shall issue to persons or corporations engaged in agriculture in this kingdom for

* Page 896.

as many Chinese labourers as he or they may, on oath, declare to be necessary for carrying on such several enterprises. Each of such special permits shall be issued in triplicate, one to be held by the Chinese presenting the same, the other two to be disposed of as provided by § 3 of this Act. Such permits shall be signed by a clerk of the Foreign Office, and numbered consecutively, which number shall be preserved in a record of the Foreign Office. Each of such permits shall contain the following conditions :

“(1.) That the bearer who presents it for entry into the kingdom shall remain therein for a term not exceeding five years.

“(2.) That such bearer shall not engage in any other occupation than that of agricultural labour, provided that the term agricultural labour shall be held to include labour in sugar mills, rice mills, and coffee mills, and all labour incident thereto.

“(3.) That if such person shall be found out of employment at any time during such term or engaged in any other employment than that of agricultural labourer, or shall be found in this kingdom after the expiration of such term, he may thereupon be arrested and held in custody until an opportunity occurs to return him to China.

“(4.) That one-fourth of the money due to such person as compensation for work done shall be retained by the employer each month and forwarded by him to the Board of Immigration, to be by it deposited in the Treasury of the kingdom as a special deposit, subject to the order of the President of the Board of Immigration, and to be returned by the said Board to such person upon his leaving the kingdom. Provided, however, that such retention and deposit shall cease whenever the sum to the credit of any one labourer shall amount to the sum of 75 dollars. The said Board shall have the authority to pay the return passage of such person out of such sums so deposited. If such person shall enter into any other employment than that of agricultural labour or shall desert his employer, such money so deposited may be forfeited to the Hawaiian Government.

“(5.) That the said bearer shall not be entitled to exercise the rights of an Hawaiian citizen as to the term of residence or employment while in the Hawaiian Kingdom, but shall be restricted to the term and employment named in such permit.”

§ 2. Before issuing the special residence permits as hereinbefore provided, the Minister of Foreign Affairs shall require of the persons or parties applying for the same to execute and deliver a bond to him for the use and benefit of the Hawaiian Government, in the penal sum of 75 dollars for each man to be landed under such special residence permits. The said Minister may in his discretion require one or more sureties to said bond. Said bond shall be conditioned,

that the applicant will furnish the man named in such special residence permit with agricultural labour so long as he remains in the kingdom; that he will at the expiration of the term of service named in the special residence permit surrender the person therein named (except in case of death) to the Board of Immigration or its agent; that he will forward and pay to the Board of Immigration each month one-fourth of the money due for compensation for work and services done, until the sum so forwarded shall reach the sum of 75 dollars; that in case of desertion he will immediately notify the Inspector of Immigrants of the desertion of the person or persons so deserting, and that he will not be privy to nor assist the person named in such special residence permit from entering into or becoming engaged in any other trade, business, or calling than that of agricultural labour as defined by this Act. In case of forfeiture of the bond, and of the payment of the penalty by the obligor therein named, the amount on deposit against the labourer named in the bond shall be paid over to such obligor.

§ 3. Special residence permits shall be issued in blank, and the name of the labourer may be inserted at the time of presentation to the Customs officer for entry into the kingdom or at any time previous thereto, and a note of such presentation shall be indorsed on the permits. The duplicates and triplicates of such permits shall be filed in the office of the Board of Immigration and with the Collector of Customs.

§ 4. The presentation of such a permit by any person for admission into this kingdom shall be held to be a consent by such person to all of its terms, and shall prevent him or any person on his behalf from denying the validity of the same in any manner whatsoever in any Court of Justice.

§ 5. Any labourer deserting or leaving or refusing to do the work of his employer shall, besides the provisions of sub-division 3 of § 1, be also subject to the penalties prescribed by law for desertion or refusal to work.

§ 6. If at any time a labourer coming under the provisions of this Act desert his employer, such employer shall immediately notify the Inspector of Immigrants of such desertion by mailing a registered letter to him. The Inspector of Immigrants shall thereupon cause a notice of such desertion to be sent to the Sheriff or Deputy Sheriff of every district of the kingdom. Such Sheriff or Deputy Sheriff shall thereupon post, or cause to be posted, a notice that such Chinese, giving name and description, has deserted from his employer, with amount of reward (if any) offered for his delivery into custody. In the city of Honolulu at least twenty of such notices shall be posted in conspicuous places.

§ 7. All expenses paid out or incurred by the desertion and

consequent arrest of any labourer shall be paid by such labourer from and out of his wages, and the employer shall be authorized to deduct such expenses if paid by him from his wages.

§ 8. Any employer who shall fail to notify the Inspector of Immigrants of the desertion of any or one of his labourers shall be guilty of a misdemeanour, and upon conviction thereof shall be fined not less than 25 dollars nor more than 100 dollars.

§ 9. Whoever shall furnish or give employment, or board, or lodging, or shall hide a runaway labourer one week after notice given as provided in § 6 of this Act shall be guilty of a misdemeanour, and upon conviction thereof shall be fined not less than 25 dollars nor more than 100 dollars for each offence.

§ 10. The Minister of Foreign Affairs shall charge for each special residence permit issued by him under the provisions of this Act the sum of 1 dollar, the money realized therefrom to be deposited in the Treasury for the use and benefit of the Hawaiian Government.

§ 11. Upon the expiration of the term of said residence permit the Minister may, upon due cause shown to him by the person named in such permit, extend the term of such special residence a further term not exceeding five years.

§ 12. Upon the arrival of such labourers a registry and description of them shall be prepared in such manner as the Board of Immigration may deem necessary to insure identification. And the said Board of Immigration is hereby authorized to make any and all such rules and regulations in the premises and as to identification, and the same to alter and amend as they may deem necessary for the proper carrying out of the provisions and intentions of this Act. Any such regulations made, altered, or amended shall have the effect and force of law after due notice thereof printed and published in a newspaper in Honolulu.

§ 13. Any person admitted to the Hawaiian Kingdom under the provisions of this Act who shall be found in the kingdom after the expiration of the term allowed by his permit, or who shall transfer such permit to any other person prior to its expiration, or who shall do any other matter or thing contrary to the provisions of this Act, or to the conditions of his special residence permit, or who shall violate any of the rules and regulations issued by the Board of Immigration, according to the provisions of this Act, shall be guilty of a misdemeanour, and upon conviction thereof before any Police or District Magistrate, shall be fined not over 200 dollars or imprisoned at hard labour not over two months, and after the satisfaction of such sentence shall be held in custody, at his own expense, till an opportunity arises to send him to China, whereupon he shall be thither deported.

§ 14. This Act shall take effect and become a Law from and after the day of its approval. Provided, however, that should the Hawaiian Government at any time after the approval of this Act enter into a Labour Convention with the Empire of China, that then and in such case the Cabinet may in their discretion, after due notice given by publication in two newspapers printed and published in Hon lulu, suspend the provisions and operations of this Act.

Approved this 14th day of November, A.D. 1890.

KALAKAUA REX.

By the King:

C. N. SPENCER, *Minister of the Interior*.

ACT of the Government of Canada, respecting Copyright.

[38 Vict., cap. 88.]

[1875.]

(Re-enacted as cap. 62 of the Revised Statutes, 1886.)

[*Note*.—The original Act is chaptered 88 of the Statutes of 1875, although there is another Act passed in the same year also chaptered 88.]

H^{ER} Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short Title.

1. This Act may be cited as “The Copyright Act” (38 Vict., cap. 88, sec. 31).

Interpretation.

2. In this Act, unless the context otherwise requires—

(a.) The expression “the Minister” means the Minister of Agriculture.

(b.) The expression “the Department” means the Department of Agriculture.

(c.) The expression “legal representatives” includes heirs, executors, administrators and assigns, or other legal representatives.

Registers of Copyrights.

3. The Minister of Agriculture shall cause to be kept, at the Department of Agriculture, books to be called the “Registers of Copyrights,” in which proprietors of literary, scientific, and artistic works or compositions may have the same registered in accordance with the provisions of this Act (38 Vict., cap. 88, sec. 1).

Subjects of Copyright and Conditions to be complied with.

4. Any person domiciled in Canada or in any part of the British possessions, or any citizen of any country which has an International Copyright Treaty with the United Kingdom, who is the author of any book, map, chart, or musical composition, or of any original painting, drawing, statue, sculpture, or photograph, or who invents, designs, etches, engraves, or causes to be engraved, etched, or made from his own design, any print or engraving, and the legal representatives of such person or citizen, shall have the sole and exclusive right and liberty of printing, reprinting, publishing, reproducing, and vending such literary, scientific, or artistic works or compositions, in whole or in part, and of allowing translations to be printed or reprinted and sold, of such literary works from one language into other languages, for the term of twenty-eight years, from the time of recording the copyright thereof in the manner hereinafter directed (38 Vict., cap. 88, sec. 4, part).

5.—(1.) The condition for obtaining such copyright shall be that the said literary, scientific, or artistic works shall be printed and published or reprinted and republished in Canada, or in the case of works of art that they shall be produced or reproduced in Canada, whether they are so published or produced for the first time, or contemporaneously with or subsequently to publication or production elsewhere; but in no case shall the said sole and exclusive right and liberty in Canada continue to exist after it has expired elsewhere.

(2.) No immoral, licentious, irreligious, or treasonable or seditious literary, scientific or artistic work shall be the legitimate subject of such registration or copyright (38 Vict., cap. 88, sec. 4, part).

6.—(1.) Every work of which the copyright has been granted and is subsisting in the United Kingdom, and copyright of which is not secured or subsisting in Canada, under any Act of the Parliament of Canada, or of the Legislature of the late Province of Canada, or of the Legislature of any of the provinces forming part of Canada, shall, when printed and published, or reprinted and republished in Canada, be entitled to copyright under this Act; but nothing in this Act shall be held to prohibit the importation from the United Kingdom of copies of any such work lawfully printed there.

(2.) If any such copyright work is reprinted subsequently to its publication in the United Kingdom, any person who has, previously to the date of entry of such work upon the registers of copyright, imported any foreign reprints, may dispose of such reprints by sale or otherwise; but the burden of proof of establishing the extent and regularity of the transaction shall, in such case, be upon such person (38 Vict., cap. 88, sec. 15).

7. Any literary work, intended to be published in pamphlet or

book form, but which is first published in separate articles in a newspaper or periodical, may be registered under this Act while it is so preliminarily published, if the title of the manuscript and a short analysis of the work are deposited at the Department, and if every separate article so published is preceded by the words "Registered in accordance with the Copyright Act," but the work, when published in book or pamphlet form, shall be subject, also, to the other requirements of this Act (38 Vict., cap. 88, sec. 10, part).

8. If a book is published anonymously, it shall be sufficient to enter it in the name of the first publisher thereof, either on behalf of the unnamed author or on behalf of such first publisher, as the case may be (38 Vict., cap. 88, sec. 25).

9. No person shall be entitled to the benefit of this Act unless he has deposited at the Department two copies of such book, map, chart, musical composition, photograph, print, cut, or engraving, and in the case of paintings, drawings, statuary and sculpture, unless he has furnished a written description of such works of art; and the Minister shall cause the copyright of the same to be recorded forthwith in a book to be kept for that purpose, in the manner adopted by him, or prescribed by the rules and forms made, from time to time, as herein provided (38 Vict., cap. 88, sec. 7).

10. The Minister shall cause one of such two copies of such book, map, chart, musical composition, photograph, print, cut, or engraving, to be deposited in the Library of the Parliament of Canada (38 Vict., cap. 88, sec. 8).

11. It shall not be requisite to deliver any printed copy of the second or of any subsequent edition of any book unless the same contains very important alterations or additions (38 Vict., cap. 88, sec. 26).

12. No person shall be entitled to the benefit of this Act unless he gives information of the copyright being secured, by causing to be inserted in the several copies of every edition published during the term secured, on the title-page, or on the page immediately following, if it is a book—or if it is a map, chart, musical composition, print, cut, engraving, or photograph, by causing to be impressed on the face thereof, or if it is a volume of maps, charts, music, engravings, or photographs, upon the title-page or frontispiece thereof, the following words, that is to say: "Entered according to Act of the Parliament of Canada, in the year , by *A. B.*, at the Department of Agriculture;" but as regards paintings, drawings, statuary, and sculptures, the signature of the artist shall be deemed a sufficient notice of such proprietorship (38 Vict., cap. 88, sec. 9).

13.—(1.) The author of any literary, scientific, or artistic work, or his legal representatives, may, pending the publication or republication thereof in Canada, obtain an interim copyright therefor

by depositing at the Department a copy of the title or a designation of such work, intended for publication or republication in Canada— which title or designation shall be registered in an interim copyright register at the said Department—to secure to such author aforesaid or his legal representatives the exclusive rights recognized by this Act, previous to publication or republication in Canada, but such interim registration shall not endure for more than one month from the date of the original publication elsewhere, within which period the work shall be printed or reprinted and published in Canada.

(2.) In every case of interim registration under this Act the author or his legal representatives shall cause notice of such registration to be inserted once in the "Canada Gazette" (38 Vict., cap. 88, sec. 10, part).

14. The application for the registration of an interim copyright, of a temporary copyright and of a copyright, may be made in the name of the author, or of his legal representatives, by any person purporting to be the agent of such author or legal representatives; and any damage caused by a fraudulent or an erroneous assumption of such authority shall be recoverable in any Court of competent jurisdiction (38 Vict., cap. 88, sec. 23, part).

Assignments and Renewals.

15.—(1.) The right of an author of a literary, scientific, or artistic work to obtain a copyright, and the copyright when obtained, shall be assignable in law, either as to the whole interest or any part thereof, by an instrument in writing, made in duplicate, and which shall be registered at the Department on production of both duplicates and payment of the fee hereinafter mentioned.

(2.) One of the duplicates shall be retained at the Department, and the other shall be returned, with a certificate of registration, to the person depositing it (38 Vict., cap. 88, sec. 18).

16. Whenever the author of a literary, scientific, or artistic work or composition which may be the subject of copyright has executed the same for another person or has sold the same to another person for due consideration, such author shall not be entitled to obtain or to retain the proprietorship of such copyright, which, is, by the said transaction, virtually transferred to the purchaser, and such purchaser may avail himself of such privilege, unless a reserve of the privilege is specially made by the author or artist in a deed duly executed (38 Vict., cap. 88, sec. 16).

17. If, at the expiration of the said term of twenty-eight years, the author or any of the authors (when the work has been originally composed and made by more than one person) is still living, or if such author is dead and has left a widow or a child, or children,

living, the same sole and exclusive right and liberty shall be continued to such author or to such authors still living, or, if dead, then to such widow and child or children, as the case may be, for the further term of fourteen years; but in such case, within one year after the expiration of such term of twenty-eight years, the title of the work secured shall be a second time registered, and all other regulations herein required to be observed in regard to original copyrights shall be complied with in respect to such renewed copyright (38 Vict., cap. 88, sec. 5).

18. In all cases of renewal of copyright under this Act, the author or proprietor shall, within two months from the date of such renewal, cause notice of such registration thereof to be published once in the "Canada Gazette" (38 Vict., cap. 88, sec. 6).

Conflicting Claims to Copyright.

19.*—(1.) In case of any person making application to register as his own the copyright of a literary, scientific, or artistic work already registered in the name of another person, or in case of simultaneous conflicting applications, or of an application made by any person other than the person entered as proprietor of a registered copyright to cancel the said copyright, the person so applying shall be notified by the Minister that the question is one for the decision of a Court of competent jurisdiction, and no further proceedings shall be had or taken by the Minister concerning the application until a judgment is produced maintaining, cancelling, or otherwise deciding the matter.

(2.) Such registration, cancellation, or adjustment of the said right shall then be made by the Minister in accordance with such decision (38 Vict., cap. 88, sec. 19).

Infringement of Copyright.

20. Every person who, without the consent of the author or lawful proprietor thereof first obtained, prints or publishes, or causes to be printed or published, any manuscript not previously printed in Canada or elsewhere, shall be liable to the author or proprietor for all damages occasioned by such publication, and the same shall be recoverable in any Court of competent jurisdiction (38 Vict., cap. 88, sec. 3).

Licences to republish.

21. If a work copyrighted in Canada becomes out of print, a complaint may be lodged by any person with the Minister, who,

* Amended by Act of 1890, see page 911, and by Act of 1891, see page 912.

on the fact being ascertained to his satisfaction, shall notify the owner of the copyright of the complaint and of the fact, and if, within a reasonable time, no remedy is applied by such owner, the Minister may grant a licence to any person to publish a new edition or to import the work, specifying the number of copies and the royalty to be paid on each to the owner of the copyright (38 Vict., cap. 88, sec. 22).

Fees.

22.—(1.) The following fees shall be paid to the Minister before an application for any of the purposes herein mentioned is received, that is to say :—

	Dol.	c.
On registering a copyright	1	00
On registering an interim copyright.. .. .	0	50
On registering a temporary copyright	0	50
On registering an assignment.. .. .	1	00
For a certified copy of registration	0	50
On registering any decision of a Court of Justice, for every folio	0	50

For office copies of documents not above mentioned, the following charges shall be made :—

	Dol.	c.
For every single or first folio, certified copy	0	50
For every subsequent 100 words (fractions under or not exceeding 50 not being counted, and over 50 being counted for 100)	0	25

(2.) The said fees shall be in full of all services performed under this Act by the Minister or by any person employed by him under this Act.

(3.) All fees received under this Act shall be paid over to the Minister of Finance and Receiver-General, and shall form part of the Consolidated Revenue Fund of Canada.

(4.) No person shall be exempt from the payment of any fee or charge payable in respect of any services performed under this Act for such person, and no fee paid shall be returned to the person who paid it (38 Vict., cap. 88, sec. 28).

General Provisions.

23. Nothing herein contained shall prejudice the right of any person to represent any scene or object, notwithstanding that there may be copyright in some other representation of such scene or object (38 Vict., cap. 88, sec. 14).

24. Newspapers and magazines published in foreign countries,

and which contain, together with foreign original matter, portions of British copyright works republished with the consent of the author or his legal representatives, or under the law of the country where such copyright exists, may be imported into Canada (38 Vict., cap. 88, sec. 10, part).

25. Clerical errors which occur in the framing or copying of any instrument drawn by any officer or employé in or of the Department shall not be construed as invalidating such instrument, but when discovered they may be corrected under the authority of the Minister (38 Vict., cap. 88, sec. 20).

26. All copies or extracts certified from the Department shall be received in evidence, without further proof and without production of the originals (38 Vict., cap. 88, sec. 21).

27. The Minister may from time to time, subject to the approval of the Governor in Council, make such rules and regulations, and prescribe such forms, as appear to him necessary and expedient for the purposes of this Act; and such regulations and forms, circulated in print for the use of the public, shall be deemed to be correct for the purposes of this Act; and all documents executed and accepted by the Minister shall be held valid so far as relates to all official proceedings under this Act (38 Vict., cap. 88, sec. 2).

Offences and Penalties.

28. Every person who wilfully makes or causes to be made any false entry in any of the registry books hereinbefore mentioned of the Minister, or who wilfully produces or causes to be tendered in evidence any paper which falsely purports to be a copy of an entry in any of the said books, is guilty of a misdemeanour, and shall be punished accordingly (38 Vict., cap. 88, sec. 24).

29. Every person who fraudulently assumes authority to act as agent of the author or of his legal representative for the registration of a temporary copyright, an interim copyright, or a copyright, is guilty of a misdemeanour, and shall be punished accordingly (38 Vict., cap. 88, sec. 23, part).

30. Every person who, after the interim registration of the title of any book according to this Act, and within the term herein limited, or after the copyright is secured and during the term or terms of its duration, prints, publishes, or reprints or republishes, or imports, or causes to be so printed, published, or imported, any copy or any translation of such book, without the consent of the person lawfully entitled to the copyright thereof first had and obtained by assignment, or who, knowing the same to be so printed or imported, publishes, sells, or exposes for sale, or causes to be published, sold, or exposed for sale, any copy of such book without

such consent, shall forfeit every copy of such book to the person then lawfully entitled to the copyright thereof; and shall forfeit and pay for every such copy which is found in his possession, either being printed or printed, published, imported, or exposed for sale, contrary to the provisions of this Act, such sum, not exceeding 1 dollar and not less than 10 cents, as the Court determines, which forfeiture shall be enforceable or recoverable in any Court of competent jurisdiction; and a moiety of such sum shall belong to Her Majesty for the public uses of Canada, and the other moiety shall belong to the lawful owner of such copyright (38 Vict., cap. 88, sec. 11).

31. Every person who, after the registering of any painting, drawing, statue, or other work of art, and within the term or terms limited by this Act, reproduces in any manner, or causes to be reproduced, made, or sold, in whole or in part, any copy of any such work of art, without the consent of the proprietor, shall forfeit the plate or plates on which such reproduction has been made, and every sheet thereof so reproduced, to the proprietor of the copyright thereof; and shall also forfeit for every sheet of such reproduction published or exposed for sale contrary to this Act, such sum, not exceeding 1 dollar and not less than 10 cents, as the Court determines, which forfeiture shall be enforceable or recoverable in any Court of competent jurisdiction; and a moiety of such sum shall belong to Her Majesty, for the public uses of Canada, and the other moiety shall belong to the lawful owner of such copyright (38 Vict., cap. 88, sec. 12).

32. Every person who, after the registering of any print, cut, or engraving, map, chart, musical composition, or photograph, according to the provisions of this Act, and within the term or terms limited by this Act, engraves, etches, or works, sells, or copies, or causes to be engraved, etched, or copied, made, or sold, either as a whole or by varying, adding to, or diminishing the main design, with intent to evade the law, or who prints or reprints, or imports for sale, or causes to be so printed or reprinted, or imported for sale, any such map, chart, musical composition, print, cut, or engraving, or any part thereof, without the consent of the proprietor of the copyright thereof first obtained, as aforesaid; or who, knowing the same to be so reprinted, printed, or imported without such consent, publishes, sells, or exposes for sale, or in any manner disposes of any such map, chart, musical composition, engraving, cut, photograph, or print, without such consent as aforesaid, shall forfeit the plate or plates on which such map, chart, musical composition, engraving, cut, photograph, or print has been copied, and also every sheet thereof so copied or printed as aforesaid, to the proprietor of the copyright thereof; and shall also forfeit, for every sheet of such

map, musical composition, print, cut, or engraving found in his possession, printed or published or exposed for sale contrary to this Act, such sum, not exceeding 1 dollar and not less than 10 cents, as the Court determines, which forfeiture shall be enforceable or recoverable in any Court of competent jurisdiction; and a moiety of such sum shall belong to Her Majesty for the public uses of Canada, and the other moiety shall belong to the lawful owner of such copyright (38 Vict., cap. 88, sec. 13).

33.—(1.) Every person who has not lawfully acquired the copyright of a literary, scientific, or artistic work, and who inserts in any copy thereof printed, produced, reproduced, or imported, or who impresses on any such copy, that the same has been entered according to this Act, or words purporting to assert the existence of a Canadian copyright in relation thereto, shall incur a penalty not exceeding 300 dollars.

(2.) Every person who causes any work to be inserted in the register of interim copyright and fails to print and publish, or reprint and republish the same within the time prescribed, shall incur a penalty not exceeding 100 dollars.

(3.) Every penalty incurred under this section shall be recoverable in any Court of competent jurisdiction, and a moiety thereof shall belong to Her Majesty for the public uses of Canada, and the other moiety shall belong to the person who sues for the same (38 Vict., cap. 88, sec. 17).

34. No action or prosecution for the recovery of any penalty under this Act shall be commenced more than two years after the cause of action arises (38 Vict., cap. 88, sec. 27).

*ACT of the Government of Canada, to amend "The Copyright Act."**

[53 Vict., cap. 12.]

— [Assented to April 24, 1890.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 19 of "The Copyright Act" is hereby amended by adding thereto the following sub-section:

"(3.) The Exchequer Court of Canada shall be a competent Court within the meaning of this Act, and shall have jurisdiction to adjudicate upon any question arising under this section, upon information in the name of the Attorney-General of Canada, and at the relation of any party interested."†

* Page 903.

† Amended by Act of 1891, see page 912.

*ACT of the Government of Canada, to amend "The Copyright Act."**

[54 & 55 Vict., cap. 34.]

[Assented to August 28, 1891.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 19 of "The Copyright Act," Chapter 62 of the Revised Statutes, as amended by the Act 58 Vict., cap. 12,† is hereby further amended by striking out of sub-section 3 the words "and at the relation of any party interested," and substituting therefor the words "or at the suit of any person interested."

ACT of the Government of Canada, respecting Fishing Vessels of the United States of America.

[54 & 55 Vict., cap. 4.]

— [Assented to July 10, 1891.]

WHEREAS "The Act respecting Fishing Vessels of the United States of America,"‡ assented to on the 16th day of May, 1890, expired on the 31st day of December, 1890;

And whereas it is expedient to continue, for the present season, the privileges accorded United States' fishing-vessels under the provisions of that Act;

Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1.—(1.) The Governor in Council may authorize the issue of licences to United States' fishing-vessels, enabling them to enter any port on the Atlantic coast of the Dominion of Canada, during the calendar year 1891, for the following purposes:—

(a.) The purchase of bait, ice, seines, lines, and all other supplies and outfits;

(b.) The transshipment of catch, and the shipping of crews.

(2.) The fee for such licences shall be 1 dol. 50 c. per ton register, and the terms and conditions thereof shall be determined by the Governor in Council.

2. All licences issued by the Government of Newfoundland, granting to United States' fishing-vessels the privilege of entering the ports of Newfoundland for the purposes hereinbefore mentioned, shall be valid in Canadian ports whenever licences issued by the Dominion of Canada to such vessels are valid for the said purposes in the ports of Newfoundland.

* Page 903.

† Page 911.

‡ Vol. I.XXXII, page 645.

TRAITÉ entre le Portugal et l'État Indépendant du Congo, pour la Délimitation de leurs Sphères de Souveraineté et d'Influence dans la région du Lunda.—Signé à Lisbonne, le 25 Mai, 1891.

[Ratifications échangées à Lisbonne, le 1^{er} Août, 1891.]

Sa Majesté le Roi-Souverain de l'État Indépendant du Congo et Sa Majesté le Roi de Portugal et des Algarves, animés du désir de resserrer par des relations de bon voisinage et de parfaite harmonie les liens d'amitié qui existent entre les deux pays, ont résolu de conclure à cet effet un Traité spécial pour la délimitation de leurs sphères de souveraineté et d'influence respectives dans la région du Lunda, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi-Souverain de l'État Indépendant du Congo, M. Édouard de Grelle Rogier, Envoyé Extraordinaire et Ministre Plénipotentiaire, muni de ses pouvoirs, Officier de l'Ordre de Léopold, &c. ;

Sa Majesté le Roi de Portugal et des Algarves, M. Carlos Roma do Bocage, Député, Major de l'État-Major du Génie, son Aide-de-camp Honoraire, Chevalier de l'Ordre de Saint-Jacques, &c. ;

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ART. I. Dans la région du Lunda les possessions de Sa Majesté le Roi de Portugal et de Sa Majesté le Roi-Souverain de l'État Indépendant du Congo sont délimitées de la manière suivante :

1. Par le thalweg du cours du Cuango depuis le 6^e degré de latitude sud jusqu'au 8^e degré ; par le 8^e parallèle jusqu'à son point d'intersection avec la Rivière Kuilu ; par le cours du Kuilu dans la direction du nord jusqu'au 7^e degré de latitude sud ; par le 7^e parallèle jusqu'à la Rivière Cassai.

2. Il est entendu que le tracé définitif de la ligne de démarcation des territoires compris entre le 7^e et le 8^e parallèle de latitude sud depuis le Cuango jusqu'au Cassai sera exécuté ultérieurement en tenant compte de la configuration du terrain et des limites des Etats indigènes.

Les États de Maxinge (Capenda) et de Cassa-sa dont la frontière septentrionale longe le 8^e parallèle depuis la rive droite du Cuango jusqu'au cours du Kuilu, celui d'Amucundo (Caungula) ayant pour limite occidentale la rive droite de ce dernier cours d'eau et touchant au 7^e parallèle, ainsi que l'État de Mataba (Ambinge) qui s'étend vers la même latitude et aboutit à la rive gauche

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du Cassaï, resteront sous la souveraineté de Sa Majesté le Roi de Portugal et des Algarves.

Les États de Mussuco (Cambongo) et d'Anzovo dont la frontière méridionale longe le 8° parallèle depuis le Cuango jusqu'au Kuilu et ceux de Cassongo (Muene Puto), Tupeinde (Muata Cambana), et Turuba (Maï Munene) resteront soumis à la souveraineté de Sa Majesté le Roi-Souverain de l'État Indépendant du Congo.

3. Par le thalweg du Cassaï depuis le point de rencontre de cette rivière avec la ligne de démarcation mentionnée au paragraphe précédent jusqu'à l'embouchure de celui de ses affluents qui prend naissance dans le Lac Dilolo, et par le cours de cet affluent jusqu'à sa source. La région à l'ouest du Cassaï appartiendra au Portugal; la région orientale à l'État Indépendant du Congo.

4. Par la crête de partage des eaux du Zaire (Congo) et de celles de Zambèse jusqu'à son intersection avec le méridien de 24° longitude est de Greenwich.

II. Une Commission composée de Représentants des Hautes Parties Contractantes, en nombre égal des deux côtés, sera chargée d'exécuter sur le terrain le tracé de la frontière, conformément aux stipulations précédentes. Ces Commissaires se réuniront à l'endroit qui leur sera ultérieurement fixé de commun accord et dans le plus bref délai possible après l'échange des ratifications du présent Traité.

III. Les sujets Portugais dans les territoires de la région du Lunda, placés sous la souveraineté de l'État Indépendant du Congo, et les sujets de l'État Indépendant du Congo dans les territoires de cette même région, placés sous la souveraineté du Portugal, seront respectivement, en ce qui concerne la protection des personnes et des propriétés, traités sur un pied d'égalité avec les sujets de l'autre Puissance Contractante.

IV. Les deux Hautes Parties Contractantes s'engagent, à défaut d'une entente directe, à recourir à l'arbitrage d'une ou de plusieurs Puissances amies pour le règlement de toutes les contestations auxquelles le présent Traité pourrait donner lieu, qu'il s'agisse de l'interprétation de ce Traité ou du tracé des frontières sur le terrain.

V. Le présent Traité sera ratifié, et les ratifications en seront échangées à Lisbonne aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Traité et y ont apposé le sceau de leurs armes.

Fait à Lisbonne, le 25 Mai, 1891.

(L.S.) ED. DE GRELLE ROGIER.

(L.S.) CARLOS ROMA DU BOCAGE

CONVENTION entre le Portugal et l'État Indépendant du Congo, pour régler certaines difficultés relatives à leurs Frontières dans le Bas-Congo. — Signée à Bruxelles, le 25 Mai, 1891.

[Ratifications échangées à Lisbonne, le 1^{er} Août, 1891.]

SA Majesté le Roi-Souverain de l'État Indépendant du Congo, et Sa Majesté Très-Fidèle le Roi de Portugal et des Algarves, convaincus d'une part de la haute utilité, autant dans l'intérêt des deux États que dans celui de l'œuvre de la civilisation et du progrès en Afrique, de s'assurer une plus facile, plus cordiale et partant plus efficace coopération dans la réalisation de leurs desseins humanitaires et civilisateurs; animés, d'autre part, d'un égal désir de resserrer encore les rapports d'amitié existant entre les deux États, ont décidé de nommer des Plénipotentiaires avec les pouvoirs nécessaires pour discuter, arrêter et signer une Convention dans laquelle seraient réglées par voie de transaction amicale et directe certaines divergences et difficultés survenues à l'occasion du travail de délimitation prévu à l'Article IV de la Convention intervenue à Berlin, à la date du 14 Février, 1885,* entre le Portugal et l'Association Internationale du Congo; et ont nommé en cette qualité et à cet effet, savoir :

Sa Majesté le Roi-Souverain de l'État Indépendant du Congo, le Sieur Edmond van Eetvelde, son Administrateur-Général des Départements des Affaires Étrangères et de l'Intérieur, Officier de son Ordre de Léopold, décoré de l'Ordre de la Couronne Royale de Prusse de 2^e classe, avec plaque;

Sa Majesté le Roi de Portugal et des Algarves, le Sieur Henrique de Macedo Pereira Coutinho, Comte de Macedo, Grand-Croix de l'Ordre de Notre Seigneur Jésus-Christ, Commandeur de l'Ordre de Notre-Dame de la Conception de Villa Viçosa, Grand-Croix de l'Ordre Royal et Distingué de Charles III et des Ordres d'Isabelle la Catholique, et du Mérite Naval d'Espagne, de la Couronne d'Italie, de l'Étoile Polaire de Suède, de Pie IX, du Soleil Levant du Japon et de la Rédemption de Libéria, Grand Officier de la Légion d'Honneur et Officier d'Instruction Publique de France, Pair du Royaume, Ministre d'État Honoraire, membre de la Section Permanente du Conseil de l'Instruction Publique, Professeur titulaire de l'École Polytechnique de Lisbonne, du Conseil de Sa Majesté Très-Fidèle et son Envoyé Extraordinaire et Ministre Plénipotentiaire près de Sa Majesté le Roi des Belges;

Lesquels, après s'être mutuellement communiqué leurs pleins

* Vol. LXXVI, page 583.

pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ART. I. Sa Majesté le Roi-Souverain de l'État Indépendant du Congo et Sa Majesté Très-Fidèle le Roi de Portugal et des Algarves adoptent, en partie à titre de rectification et en partie à titre de détermination plus précise des frontières de leurs possessions ou territoires limitrophes dans l'Afrique Occidentale, définies dans les 2°, 3°, 4°, 5°, 6°, 7°, et 8° (avant dernier) alinéas de l'Article III de la Convention intervenue à Berlin entre le Portugal et l'Association Internationale du Congo, en date du 14 Février, 1885, les délimitations fixées aux deux Articles qui suivent, sous les Nos. II et III.

II. La partie de la frontière définie dans les 2°, 3°, 4°, et 5° alinéas de l'Article III de la susdite Convention du 14 Février, 1885, est remplacée par la ligne brisée dont la description suit :—

Une droite joignant un point pris sur la plage, à 300 mètres au nord de la maison principale de la factorerie Hollandaise de Lunga, à l'embouchure de la petite rivière de Lunga dans la lagune du même nom.

Le cours de la petite rivière de Lunga jusqu'à la mare de Mallongo—les villages de Congo, N'Conde, Iéma, &c., restant à l'État Indépendant du Congo, ceux de Cabo Lombo, M'Venho, Iabe, Ganzzy, Taly, Spita Gagandjiine, N'goio, M'To, Fortaleza, Sokki, &c., au Portugal ;

Le cours des Rivières Venzo et Lulofe jusqu'à la source de cette dernière sur le versant de la montagne Nime-Tchiana ;

Le parallèle de cette source jusqu'à son intersection avec le méridien du confluent du Luculla et de la rivière appelée par les uns N'Zenze et par d'autres Culla-Calla ;

Le méridien ainsi déterminé jusqu'à sa rencontre avec la Rivière Luculla ;

Le cours du Luculla jusqu'à son confluent avec le Chilongo (Luango-Luce).

III. La définition partielle de frontières posée aux 6°, 7°, et 8° alinéas de l'Article III de la susdite Convention du 14 Février, 1885, est interprétée, précisée, et rectifiée dans les termes suivants :—

Dans le fleuve Congo (Zaïre) et depuis son embouchure jusqu'au parallèle passant à 100 mètres au nord de la maison principale de la factorerie de Domingos de Souza à Nokki, la ligne séparative des eaux appartenant respectivement aux deux États sera la ligne moyenne du chenal de navigation généralement suivi par les bâtiments de grand tirant d'eau, ligne qui actuellement laisse à droite et comprises entre cette ligne et la rive droite du fleuve, notamment et entre autres, les îles fluviales nommées Bulambemba, Mateba, et Ile des Princes, et à gauche et comprises entre cette ligne et la rive

gauche du fleuve, notamment et entre autres les îles fluviales connues sous les noms de Bulicoco et Iles de Sacram Ambaca, et à partir de l'intersection de cette ligne avec le susdit parallèle, ce même parallèle jusqu'à son point d'intersection avec la rive gauche du fleuve ;

A Nokki, la frontière suivra une droite joignant ce dernier point sur la rive gauche du Congo (Zaïre) à un autre point pris à 2,000 mètres à l'est de la même rive sur le parallèle passant par les fondations de la maison de la résidence de Nokki, actuellement en construction ;

A partir de ce dernier point, la frontière suivra ce même parallèle de la résidence de Nokki jusqu'à son intersection avec la Rivière Kuango (Cuango).

Toutes les îles fluviales du Congo (Zaire), nominalement mentionnées ou non dans le corps du présent Article, mais situées de fait, les unes entre la ligne moyenne du chenal actuel de navigation et la rive droite du fleuve, les autres entre cette même ligne et la rive gauche, appartiennent définitivement et indépendamment de tout déplacement éventuel du chenal, les premières à l'État Indépendant du Congo, les secondes au Portugal.

IV. Les Hautes Parties Contractantes sont également convenues d'adopter les dispositions fiscales dont les bases suivent :—

(a.) Le produit brut des droits de sortie qu'elles percevront sur les marchandises exportées par les Rivières Chiloango (Luango-Luce), Luali, Luculla, et Lubuzzi sera partagé entre les deux Gouvernements dans la proportion des recettes brutes de même espèce respectivement effectuées en 1890, à leurs Bureaux de Douane de N'Zobé et de Landana.

(b.) Le mode selon lequel ces droits seront perçus et effectivement partagés sera déterminé par un règlement à élaborer de commun accord entre les deux Gouvernements dans le plus court délai possible.

(c.) Les dispositions fiscales contenues dans le présent Article resteront en vigueur pendant une période de cinq années, à partir du jour de la mise à exécution du règlement prévu à l'alinéa (b) ci-dessus, et demeureront en vigueur pendant des périodes successives de cinq années, si elles ne sont pas dénoncées par l'une ou l'autre des Hautes Parties Contractantes un an avant l'expiration de chaque période.

V. Les Hautes Parties Contractantes s'engagent à prendre de commun accord, dans le plus bref délai possible, les mesures nécessaires pour faire exécuter sur le terrain le tracé de la frontière tel qu'il résulte de la présente Convention.

En attendant que ce travail soit exécuté sur les lieux et approuvé par les deux Gouvernements, elles s'obligent à maintenir dans les territoires en litige la *statu quo* tel qu'il est pratiqué actuellement.

VI. Les Hautes Parties Contractantes s'engagent, à défaut d'une entente directe, à recourir à l'arbitrage d'une ou de plusieurs Puissances amies pour le règlement de toutes les contestations auxquelles la présente Convention pourrait donner lieu, qu'il s'agisse de l'interprétation de cette Convention ou du tracé des frontières sur le terrain.

VII. Cette Convention sera ratifiée, et les ratifications en seront échangées dans un délai de trois mois.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé le cachet de leurs armes.

Fait en double expédition à Bruxelles, le 25^e jour du mois de Mai, 1891.

(L.S.) EDM. VAN EETVELDE.

(L.S.) DE MACEDO.

*CONCESSION by the Sultan of Zanzibar to the Imperial British East Africa Company of certain Islands and of certain places on the Benadir Coast.—March 4, 1890.**

(Translation.)

1. His Highness Seyyid Ali, Sultan of Zanzibar and its East African dependencies, hereby declares and agrees to concede to the Imperial East Africa Company all the powers and authority to which he is entitled on the mainland lying between Kipini and Mruti, also the islands embraced in such territory, including Lamu, Manda, Patta, Kwyho, and all the other towns and places on the Benadir coast, viz., Kismayu, Brava, Mervice (Meurka), Magadisho, Warsheikh, Mruti, and the islands in their vicinity belonging to His Highness. The same to be administered and held for the same period, and on the same terms and conditions, as the Imperial British East Africa Company's Concession, dated the 9th October, 1888,† for the territories lying between Wanga and Kipini.

2. The Imperial British East Africa Company undertake to pay His Highness, as in the case of their Mombasa Concession above named, the gross revenue of the Customs as collected by them; the amount to be paid by His Highness shall be fixed by the experience of the sum collected the first year, but in the event of any abnormal loss arising in the first year's collection through disturbances on the coast, or from any cause whatever, His Highness shall not suffer loss thereby.

3. Be it known that the revenue which His Highness now

* Modified by Agreement of March 5, 1891, page 919.

† Vol. LXXIX, page 373.

receives from the Benadir ports is 90,000 dollars, and the revenue of Lamu is 13,000 dollars yearly. Therefore, the Imperial British East Africa Company agrees, should the collection for the first year be less than the above-named sum, to make good the difference to His Highness.

4. The Imperial British East Africa Company further guarantees to pay to His Highness 50 per cent. of the additional net revenue which may come to them from the customs duties of the ports above named, after deduction of the entire charges of the administration and the fixed revenue, as in the case of their Mombasa Concession.

GEO. S. MACKENZIE, *Director and Administrator-in-chief, Imperial British East Africa Company.*

Witness :

E. J. L. BERKELEY, *Her Majesty's Vice-Consul.*

The Sultan of Zanzibar to Colonel Euan-Smith.

(Translation.)

(After compliments.) 13th Rajab, 1307 (5th March, 1890).

WE have the honour to inform you that we have looked in the letter which our brother, the late Seyyid Khalifa, wrote on the 11th Jamad-el-Aowal, 1307, to the Italian King regarding the matter of Kismayu. And now you know what has happened between us and our friends the English Company. That we have given to them the concession of all Benadir ports, &c., and now we agree if the Italian Company will arrange with our friend Mr. Mackinnon we have no objection; our desire is to increase the friendship.

Written by his order, his slave, Abdul Aziz.

SUPPLEMENTARY AGREEMENT concluded between His Highness Seyyid Ali, G.C.S.I., Sultan of Zanzibar, and Mr. George Mackenzie, Director and Acting Administrator-in-chief of the Imperial British East Africa Company.—
March 5, 1891.

THE Concession, dated the 4th March, 1890,* regarding the Benadir ports granted by His Highness Seyyid Ali to the Imperial British East Africa Company, is hereby modified by mutual consent,

in so far as that Concession relates to the Islands of Lamu, Manda, Patta, &c., as well as to the port and territory belonging to Kismayu.

That portion of the Concession which relates to the ports belonging to His Highness lying on that coast to the northward of the River Juba, viz., Brava, Meurka, Magadisho and Warsheikh, and Mruti, shall remain undisturbed.

His Highness the Sultan Seyyid Ali hereby grants to the Imperial British East Africa Company the concession of his entire coast-line from Wanga to Kipini, and, further, the Islands of Lamu, Manda, Patta, and his territory at Kismayu, in perpetuity, instead of for fifty years, from the date of and as stated in, first, the Concession signed by the late Seyyid Khalifa, and dated the 9th day of October, 1888;* and, secondly, the Concession signed by His Highness Seyyid Ali, and dated the 4th March, 1890.

The following are the conditions of this present modified Agreement:—

The Imperial British East Africa Company to pay as rental to His Highness the Sultan for the above coast-line and all the islands embraced therein, extending from the port of Wanga to that of Kismayu, both inclusive, under the conditions detailed in the Concession of the 9th October, 1888,* the sum of 80,000 dollars annually, by quarterly payments, in advance, of 20,000 dollars each, the same to come into operation on and after the 1st June, 1891; this sum to cover absolutely and entirely all and every payment now or hereafter to be made by the Company to His Highness the Sultan on any account whatever, save only such payments as may become due to His Highness on the founder's share held by His Highness.

Nothing in this Agreement, excepting only in so far as relates to rents, revenues, and length of lease, is to be considered as running counter to the general provisions and principles of the Concession of the 9th October, 1888, under which the territory belonging to His Highness will continue to be administered under His Highness' flag and in His Highness' name.

The provisions of Article 9 regarding drawbacks to remain in full force, and His Highness the Sultan shall only be called upon to refund to the Company the actual customs duties which he has collected on their behalf for goods passing through and between His Highness' Custom-house and the Company's ports.

His Highness is not to be responsible for more than he has received as customs duties levied in accordance with the terms of the Customs Tariff on behalf of the Company.]

In consideration of the aforementioned modification of the Concession referred to, the Company bind themselves, during the lifetime of the present Sultan, His Highness Seyyid Ali-bin-Saïd, not to put forward or to press any claim to commute their annual payment for a lump sum paid down, save on the request or initiative of His Highness the Sultan, or with the consent and approval of Her Majesty's Government.

ALI BIN-SAÏD.

Witness to His Highness the Sultan's signature :

C. B. EUAN-SMITH, *Colonel,*

Her Majesty's Agent and Consul-General.

Zanzibar, March 5, 1891.

GEORGE S. MACKENZIE, *Director,*
Imperial British East Africa Company.

Witness to Mr. George S. Mackenzie's signature :

ERNEST J. L. BERKELEY, *Her Majesty's Vice-Consul.*

March 5, 1891.

*AGREEMENT between the Imperial British East Africa
Company and Witu.—March 18, 1891.*

(Swahili translation.)

ART. I. Sheikh Fumo Amari, Bwana Avatulla, and the Notables of Witu, having duly received and read the letter addressed to them by Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General at Zanzibar, dated the 4th March, 1891, and having discussed all the matters therein referred to with Mr. Berkeley and Mr. Mackenzie aforesaid, do hereby, on behalf of themselves and the people of Witu, fully, freely, and loyally accept and recognize that the territory of Witu is henceforth under the control and administration of the Imperial British East Africa Company, and they further pledge themselves faithfully and loyally to serve and support and obey the said Company's administration.

II. The flag of the Imperial British East Africa Company, and no other, shall be recognized throughout the territory of Witu.

III. The Imperial British East Africa Company pledge themselves faithfully to observe each and all of the conditions of the peace concluded between the people of Witu and Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General, on the 23rd and 24th January, 1891.

IV. The martial law which, on the 21st October, 1890, was proclaimed throughout the territory of Witu by Admiral Fremantle,* is withdrawn in accordance with the official notice to that effect signed on the 14th March, 1891, by Captain Hill, R.N., Senior Naval Officer on the East Coast of Africa.

V. Vice-Consul Berkeley, on behalf of Her Majesty's Government, hereby declares the Province of Witu to be duly and formally handed over to the administration of the Imperial British East Africa Company aforesaid, under the terms of the Agreement entered into on the 5th March, 1891,† between Sir Charles Euan-Smith, Her Majesty's Agent and Consul-General at Zanzibar, and Mr. G. S. Mackenzie, Director, Imperial British East Africa Company.‡

VI. The Notables and people of Witu, being aware of, and desirous to support, the efforts that have continuously been made by Her Majesty's Government and by the British Company to suppress the Slave Trade and slavery in East Africa, do hereby freely and solemnly pledge themselves henceforth to have no dealings of any kind or description with the Slave Trade, and to use their best endeavours to suppress and obstruct it. They further engage and declare that from this day forth all the inhabitants of Witu are free, and that in the Province of Witu the status of slavery is abolished, and shall no longer be recognized, but all the aforesaid inhabitants of Witu are now British-protected persons, and shall enjoy all the rights and privileges appertaining to such persons. And the Imperial British East Africa Company will use their best endeavours to insure that while this provision regarding the freedom of all Witu subjects is put into full and legitimate execution, it shall not in any way injuriously affect the lawful rights of the subjects of His Highness the Sultan of Zanzibar resident in Lamu and the territories adjoining the Province of Witu.

But regarding the general emancipation of slaves above referred to, it is agreed, with a view to prevent an immediate and heavy loss to the owners of plantations, shambas, &c., at present worked solely by slave labour, to defer the actual process of liberating *bond fide* slaves thus employed for a period of five years; the slaves, nevertheless, retaining the usual right to purchase their freedom by mutual consent at any time. The total abolition of slavery throughout the Province of Witu is fixed to take place finally and absolutely on the 24th May, 1896.

* See Declaration of October 20, 1860, Vol. LXXXII, page 362.

† Page 919.

‡ This Agreement was terminated the 31st July, 1893, when the flag of the British Protectorate was hoisted in Witu.

VII. In consideration of the provisions of Article VI, the Imperial British East Africa Company pledge themselves to use their best endeavours, should it be requisite, to obtain and encourage the importation into Witu territory of coolie labour for agricultural and other legitimate purposes.

Done in triplicate, in English and Swahili, at Jongeni, on the 18th day of March, 1891.

ERNEST J. L. BERKELEY, *Her Britannic Majesty's Vice-Consul.*

GEORGE S. MACKENZIE, *Director, Imperial British East Africa Company.*

Witness to the signatures:

F. J. JACKSON.

What is written above is true.

FUMO AMARI-BIN-SULTAN ACHIMED
(with his own hand).

What is written above is true.

AVATULLA-BIN-HERO SOMALI (with
his own hand).

Witness to above signatures:

SAID-BIN-ILAMADI HIADI (with his own hand).

NOTICE of the Imperial British East Africa Company, respecting the Administration of Witu and the Coast from Kipini to Kismayu.—Lamu, March 20, 1891.

NOTICE is hereby given that under Arrangement dated the [5th] March, 1891,* entered into between Sir Charles Euan-Smith, Her Britannic Majesty's Agent and Consul-General at Zanzibar, acting on behalf of Her Britannic Majesty's Government, and Mr. George S. Mackenzie, Director of the Imperial British East Africa Company, the said Company and their officers have, from the date hereof, assumed the government and control of the territory hitherto known as the Sultanate of Witu, as also the continuous coast-line from Kipini to Kismayu, over which a British Protectorate was declared, as published in the "London Gazette" of Tuesday, the 25th November, 1890.†

All the Regulations which are now in force in the Imperial British East Africa Company's other towns and territories (lying

* Page 919.

† Vol. LXXXII, page 1059.

within the British sphere of influence) shall be recognized and made equally applicable to all people resident within the above-mentioned territory now acquired by the said Company.

To prevent disputes arising between Europeans and foreigners of any nationality and the natives, such as led to the late lamentable destruction of life and property, all parties are requested to lodge particulars of outstanding claims, with proofs in support of same, in order that the same may be investigated on the earliest possible date. But claims arising out of the destruction of life and property during the late troubles must be presented direct to the Representatives at Zanzibar of the several Governments interested.

The Company will take no cognizance of any claims for compensation or other than ordinary mercantile debts which may have been incurred prior to the date hereof.

Further, all foreigners claiming lands, houses, or shambas are required, within the space of six months from the date hereof, to notify same to the representatives of the Imperial British East Africa Company's Resident in Lamu, and to accompany such notification with full and true copies of the title-deeds appertaining to same, in order that they may be examined and registered in the books of the Company.

In order to remove all feelings of animosity which may exist in the minds of disaffected natives against Europeans, in consequence of the late lamentable disturbances and the subsequent British punitive expedition, all Europeans, of any nationality whatever, are hereby specially cautioned against attempting, in cases of dispute, to take the law into their own hands, and so possibly bring about a breach of the peace. All complaints should be lodged at the nearest agency of the Imperial British East Africa Company, whose representative will promptly institute a full and impartial inquiry into the case.

The said Company require that all Europeans and foreigners, when leaving the coast to proceed inland, should notify the same to the Company's principal representative in Lamu, who will furnish them with a pass commending them to the care and protection of the local Governor or Chief. Any complaints arising out of the neglect of this rule may, at the option of the Company's representative, prevent complaints being recognized or investigated.

Hereafter lands for which proper title-deeds have not been registered (other than shambas and land under actual cultivation) cannot be bought, sold, or transferred by a native to a foreigner, until the same has been duly notified to the representative of the Company, and the requisite sanction in writing be obtained from the principal European district officer.

There will be no hindrance whatever to the sale of shambas and

lands actually under cultivation; the proprietors of them may deal with them as they please.

The Company will, in the exercise of their sovereign rights over the entire coast-line, abolish the collection of double duties on produce or imports and exports of any kind passing to and from the port of Lamu and the mainland.

No one other than the Company is entitled to establish a custom-house, or collect duties or taxes of any kind, within the territory or coast-line specified in this Notification.

Kidnapping of any people or forcing them to work gratuitously is also forbidden. No tribute of any kind in produce or otherwise is to be collected from any of the people resident within the sphere of the Company's influence.

The catching and selling of slaves is also illegal, and persons caught doing such will be severely punished.

All the inhabitants of the Province of Witu are now under the rule and protection of the British Government.

And all the runaway slaves from other parts of the coast will, on the date of the Company assuming charge, found in Witu, be reckoned free people.

But domestic slaves, the lawful property of subjects of His Highness the Sultan of Zanzibar, flying to Witu after the date, will not be harboured there.

The judicial administration of the territory shall be in accordance with the procedure and provisions of the Indian Civil and Criminal Codes, which shall be applicable to all parties holding lands and properties within the territory herein referred to.

Lamu, March 20, 1891

GEORGE S. MACKENZIE, *Director,*
Imperial British East Africa Company.

AGREEMENT between Her Majesty's Government and the British South Africa Company.*—London, February 1891.

Conditions on extending the Field of the Operations of the British South Africa Company to the North of the Zambezi.

THE Charter of the British South Africa Company† shall extend over the territory under British influence north of the Zambezi and

* Extracted from Parliamentary Paper "Africa No. 2 (1895)."

† October 29, 1889, Vol. LXXXI, page 617.

south of the territories of the Congo Free State and the German sphere, and accordingly the Company is hereby granted powers necessary for the purposes of good government and the preservation of public order in, and for the protection of, the said territory under British influence, but subject to the following conditions:—

1. The said field of operations shall not include Nyasaland.

The territory defined by that name will be bounded, where it adjoins the Chartered territory, by a frontier which, starting on the south from a point where the boundary between the British and Portuguese spheres is intersected by the boundary of the Conventional line of the Berlin Act,* will follow that line to the point where it meets the geographical line of the Congo Basin, and will thence follow the latter line to the point where it reaches the boundary between the British and German spheres.

2. As regards the powers of government and administration by the Company, the Secretary of State shall, pursuant to the power reserved to him by the 4th Article of the Charter, subject them to the condition that, until the 1st January, 1894, or until such earlier date as he shall direct, they shall be exercised for the Company by Her Majesty's Commissioner for Nyasaland in consultation with the Company, and accordingly, in this respect, the Company's officers shall be subordinate to the Commissioner.

After the 1st January, 1894, the arrangement shall be renewable, at the discretion of Her Majesty's Government, for a further period not exceeding two years.

3. The duty of preserving peace and order incumbent on the Company under Article 10 of the Charter shall devolve on the said Commissioner so long as Article 2 hereof is in force. The Commissioner shall have the control of the police force, the establishment of which is authorized by Article 10 of the Charter, with power to employ it at his discretion in any part of the Company's field of operations north of the Zambezi and in Nyasaland.

The Company shall raise, equip, and maintain (providing the necessary barrack accommodation) the police force (under which head armed boats shall be comprised), and defray all expenses connected with its employment, expending for these purposes, through the said Commissioner, not less than 10,000*l.* a-year.

The said Commissioner shall be consulted as to the organization of the police, and especially as to the appointment by the Company of its officers.

4. Justice to the peoples and inhabitants within the Company's field of operations north of the Zambezi, under the 14th Article of

* February 26, 1885, Vol. LXXVI, page 4.

the Charter, shall be administered by the said Commissioner so long as Article 2 hereof is in force.

5. The administration of justice shall be in conformity with the Africa Order in Council of the 15th October, 1889,* under which judicial powers will be conferred on the said Commissioner (so long as Article 2 hereof is in force), and on such other officers who may be employés of the Company as the Secretary of State shall, at the request of the Company, nominate.

6. Goods passing through Nyasaland to or from the Chartered territory shall be treated as goods in transit, and shall be free from duty.

If, for the sake of convenience, duties are levied on them on the Nyasaland frontiers, they shall be accounted for to the Company.

7. All expenses connected with the administration in the Chartered territory shall be borne by the Company either by a fixed payment, or by liquidation of accounts rendered by the Commissioner; but no expense beyond the before-mentioned 10,000*l.*, except for travelling expenses of the Commissioner and his agents, shall be incurred without the previous sanction of the Company.

8. The Company shall make arrangements under which the said Commissioner shall, in Nyasaland, be authorized to make use of material of war belonging to the African Lakes Company, in case of necessity, and under which he shall be empowered to use, free of charge, for administrative purposes, the steamers belonging to that Company on Lake Nyasa, with due precautions against unreasonable interference with their employment for the Company's trade.

Foreign Office, February 1891.

[On the 8th December, 1893, the above Agreement was extended for two years, dating from the 1st January, 1894.]

* Vol. LXXXI, page 301.

CONVENTION conclue entre les Pays-Bas et la République Dominicaine, réglant l'Admission des Consuls Dominicains dans les principaux Ports des Colonies Néerlandaises.— Signée à La Haye, le 1^{er} Mai, 1891.

[Ratifications échangées à Paris, le 18 Mars, 1892.]

SA Majesté la Reine des Pays-Bas, et en son nom, Sa Majesté la Reine-Régente du Royaume des Pays-Bas, voulant resserrer les liens d'amitié existant entre le Royaume des Pays-Bas et la République Dominicaine et assurer aux relations de commerce si heureusement établies entre les deux nations le développement le plus ample possible, a, pour atteindre ce but et pour satisfaire à un désir exprimé par le Gouvernement de cette République, consenti à admettre des Consuls Dominicains dans les principaux ports des Colonies Néerlandaises, sous la réserve toutefois de faire de cette concession l'objet d'une Convention spéciale, qui déterminât d'une manière claire et précise les droits, devoirs, et immunités de ces Consuls dans les dites Colonies.

A cet effet, Sa Majesté la Reine-Régente du Royaume des Pays-Bas a nommé le Jonkheer C. Hartsen, Commandeur, &c.; et le Baron A. Mackay, Commandeur, &c., Ministres des Affaires Étrangères et des Colonies de Sa Majesté la Reine Wilhelmina;

Et le Président de la République Dominicaine, le Baron E. de Almada, Grand-Croix, &c., Envoyé Extraordinaire et Ministre Plénipotentiaire de la République Dominicaine près la Cour Royale des Pays-Bas;

Lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :—

ART. I. Des Consuls - Généraux, Consuls, Vice-Consuls, et Agents Consulaires Dominicaines seront admis dans tous les ports des possessions d'outremer ou Colonies des Pays-Bas qui sont ouverts aux navires de toutes nations.

II. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires Dominicains sont considérés comme des Agents Commerciaux, protecteurs du commerce maritime de leurs nationaux, dans les ports de la circonscription de leur arrondissement Consulaire.

Ils seront sujets aux lois tant civiles que pénales du pays où ils résident, sauf les exceptions que la présente Convention établit en leur faveur.

III. Les Consuls-Généraux, Consuls, et Vice-Consuls, avant d'être admis à l'exercice de leurs fonctions et de jouir des immunités qui y sont attachées, doivent produire une commission en due forme au Gouvernement de Sa Majesté la Reine des Pays-Bas.

Après avoir obtenu l'exéquatur, qui sera aussi promptement que possible contresigné par le Gouverneur de la Colonie, les dits fonctionnaires Consulaires de tout grade auront droit à la protection du Gouvernement et à l'assistance des autorités locales, pour le libre exercice de leurs fonctions.

Le Gouvernement, en accordant l'exéquatur, se réserve la faculté de le retirer ou de le faire retirer par le Gouverneur de la Colonie en indiquant les motifs de cette mesure.

IV. Les Consuls - Généraux, Consuls, et Vice - Consuls sont autorisés à placer au-dessus de la porte extérieure de leur maison un tableau aux armes de leur Gouvernement, avec l'inscription "Consulat ou Vice-Consulat de la République Dominicaine."

Il est bien entendu que cette marque extérieure ne pourra jamais être considérée comme donnant droit d'asile, ni comme pouvant soustraire la maison et ceux qui l'habitent aux poursuites de la justice territoriale.

V. Il est néanmoins entendu que les archives et documents relatifs aux affaires Consulaires seront protégés contre toute recherche, et qu'aucune autorité ni aucun Magistrat ne pourra d'une manière quelconque et sous aucun prétexte les visiter, les saisir, ou s'en enquérir.

VI. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires ne sont investis d'aucun caractère diplomatique.

Toute demande à adresser au Gouvernement Néerlandais devra avoir lieu par l'entremise de l'Agent Diplomatique accrédité auprès de la Cour Royale ou auprès du Gouvernement des Pays-Bas.

A défaut de celui-ci et en cas d'urgence, le Consul-Général, Consul, ou Vice-Consul peut faire lui-même la demande au Gouverneur de la Colonie, prouvant l'urgence et exposant les motifs pour lesquels la demande ne pourrait être adressée aux autorités subalternes, ou en démontrant que les demandes antérieurement adressées à ces autorités seraient restées sans effet.

VII. Les Consuls-Généraux et les Consuls ont la faculté de nommer des Agents Consulaires dans les ports mentionnés à l'Article I.

Les Agents Consulaires pourront être indistinctement des sujets Néerlandais, des sujets Dominicains, ou des nationaux de tout autre pays, résidant ou pouvant, aux termes des lois locales, être admis à fixer leur résidence dans le port où l'Agent Consulaire sera nommé. Ces Agents Consulaires, dont la nomination sera soumise à l'approbation du Gouverneur de la Colonie, seront munis d'un

brevet délivré par le Consul, sous les ordres duquel ils exerceront leurs fonctions.

Le Gouverneur de la Colonie peut en tout cas retirer aux Agents Consulaires, en communiquant au Consul-Général ou Consul les motifs d'une telle mesure, l'approbation dont il vient d'être parlé.

VIII. Les passeports, délivrés ou visés par les fonctionnaires Consulaires de tout grade, ne dispensent nullement de se munir de tous les actes requis par les lois locales pour voyager ou s'établir dans les Colonies.

Au Gouverneur de la Colonie est réservé le droit de défendre le séjour dans la Colonie, ou d'ordonner la sortie de l'individu auquel serait délivré un passeport.

IX. Lorsqu'un navire Dominicain viendra à échouer sur les côtes d'une des Colonies Néerlandaises, le Consul-Général, Consul, Vice-Consul, ou Agent Consulaire, présent sur le lieu même du naufrage ou du sauvetage, prendra en l'absence ou du consentement du capitaine toutes les mesures nécessaires et propres à sauver le navire, la cargaison, et tout ce qui y appartient.

En l'absence du Consul-Général, Consul, Vice-Consul, ou Agent Consulaire, les autorités Néerlandaises du lieu où le navire aura échoué prendront les mesures prescrites par les lois de la Colonie.

X. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires peuvent, pour autant que l'extradition des déserteurs des navires Dominicains, marchands ou de guerre, a été stipulée par Traité, requérir l'assistance des autorités locales pour l'arrestation, la détention, et l'emprisonnement des déserteurs de ces navires; ils s'adresseront à cet effet aux fonctionnaires compétents et réclameront les dits déserteurs par écrit, en prouvant par les registres du navire, les rôles d'équipage, ou par tout autre document authentique, que les individus réclamés faisaient partie des équipages. La réclamation étant appuyée de cette manière, l'extradition sera accordée. Les autorités locales seront tenues à exercer toute l'autorité qu'elles possèdent, afin que l'arrestation des déserteurs ait lieu. Ces déserteurs arrêtés seront mis à la disposition des dits fonctionnaires Consulaires, et pourront être écroués dans les prisons publiques, à la réquisition et aux frais de ceux qui les réclament, afin d'être dirigés sur les navires auxquels ils appartiennent, ou sur d'autres navires de la même nation. Mais si ces déserteurs ne sont pas renvoyés dans les trois mois à partir du jour de leur arrestation, ils seront mis en liberté et ne pourront plus être arrêtés pour la même cause.

Il est entendu toutefois que si le déserteur se trouvait avoir commis quelque crime, délit, ou contravention, il pourra être surmis à son extradition, jusqu'à ce que le Tribunal, saisi de l'affaire, ait rendu sa sentence, et que celle-ci ait reçu son exécution.

XI. Lorsqu'un sujet Dominicain vient à décéder sans laisser d'héritiers connus ou d'exécuteurs testamentaires, les autorités Néerlandaises, chargées selon les lois de la Colonie de l'administration de la succession, en donneront avis aux fonctionnaires Consulaires, afin de transmettre aux intéressés les informations nécessaires.

XII. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires de la République Dominicaine ont, en cette qualité, pour autant que la législation Dominicaine le permet, le droit d'être nommés arbitres dans les différends qui pourront s'élever entre les capitaines et les équipages des navires Dominicains, et ce sans l'intervention des autorités locales, à moins que la conduite du capitaine ou des équipages n'ait été de nature à troubler l'ordre et la tranquillité du pays, ou que les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires ne requièrent l'assistance des dites autorités pour mettre leurs décisions à exécution ou en maintenir l'autorité.

Il est toutefois entendu que ce jugement ou arbitrage spécial ne privera pas les parties en litige du droit d'en appeler, à leur retour, aux autorités judiciaires de leur propre pays, quand la législation de ce dernier leur reconnaît ce droit.

XIII. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires, qui ne sont ni sujets des Pays-Bas, ni, au moment de leur nomination, établis, comme habitants, dans le Royaume des Pays-Bas ou ses Colonies, et qui en outre n'exercent aucune fonction, profession, ou commerce outre leurs fonctions Consulaires, sont, pour autant que dans la République Dominicaine les mêmes faveurs seraient accordées aux Consuls-Généraux, Consuls, et Vice-Consuls des Pays-Bas, exempts du logement militaire, de l'impôt personnel, et de plus de toutes les impositions publiques ou municipales qui seraient considérées comme étant d'une nature personnelle. Cette exemption ne peut jamais s'étendre aux droits de douane ou autres impôts indirects ou réels.

Les Consuls-Généraux, Consuls, Vice-Consuls, ou Agents Consulaires qui ne sont point indigènes ou sujets reconnus des Pays-Bas, mais qui exerceraient conjointement avec leurs fonctions Consulaires une profession ou un commerce quelconque, sont tenus de supporter et de payer comme les sujets Néerlandais et autres habitants les charges, impositions, et contributions.

Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents Consulaires, sujets des Pays-Bas, mais auxquels il a été accordé d'exercer des fonctions Consulaires, conférées par le Gouvernement Dominicain, sont obligés d'acquitter toutes les impositions ou contributions de quelque nature qu'elles puissent être.

XIV. Les Consuls-Généraux, Consuls, Vice-Consuls, et Agents

Consulaires Dominicains jouiront de tous les autres privilèges, exemptions, et immunités dans les Colonies Néerlandaises qui pourraient par la suite être accordés aux Agents de même rang de la nation la plus favorisée.

XV. La présente Convention restera en vigueur pendant cinq ans à partir de l'échange des ratifications, lequel aura lieu aussitôt que faire se pourra.

Dans le cas où ni l'une ni l'autre des Hautes Parties Contractantes n'aurait notifié, douze mois avant l'expiration de la dite période de cinq années, son intention d'en faire cesser les effets, la Convention continuera à rester en vigueur pendant encore une année à partir du jour où l'une des deux Parties l'aura dénoncée.

En foi de quoi les Plénipotentiaires respectifs ont signé la présente Convention et y ont apposé le sceau de leurs armes.

Fait à La Haye, en double, le 1^{er} Mai, 1891.

(L.S.) HARTSEN.

(L.S.) MACKAY.

(L.S.) EMANUEL DE ALMEDA.

CONVENTION between Austria-Hungary and Uruguay, for the Mutual Extradition of Criminals.—Signed at Monte Video, June 25, 1887.

[Ratifications exchanged at Monte Video, August 29, 1896.]

(Translation.)

HIS Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, and his Excellency the Constitutional President of the Oriental Republic of the Uruguay, having decided by common agreement to conclude a Convention for the extradition of criminals, have nominated for that object their Plenipotentiaries, viz.:

His Majesty the Emperor of Austria and Apostolic King of Hungary, Baron Manuel von Salzberg, his Minister Resident to the Oriental Republic of the Uruguay; and

His Excellency the President of the Oriental Republic of the Uruguay, Dr. Don Julio Herrera y Obes, Secretary of State *ad interim* for Foreign Affairs;

Who, having communicated to each other their respective full

powers, which were found to be in good and due form, have agreed upon the following Articles:—

ART. I. The High Contracting Parties undertake to deliver up reciprocally, in conformity with this Convention, the individuals accused, prosecuted, or condemned by the judicial authorities of one of the High Contracting Parties for any of the punishable offences set out in Article III of this Convention, provided that such offence shall have been committed beyond the territory of the State from which extradition is demanded.

When the punishable offence giving rise to the demand for extradition shall have been committed beyond the territory of the State making the demand, the latter shall give effect to such demand provided that the legislation of the demanding State and that of the State to which the demand is addressed authorizes in that case the prosecution of the same acts committed abroad.

II. Austro-Hungarian subjects shall not be delivered up by Austria-Hungary to the Government of the Oriental Republic of the Uruguay, nor shall citizens of that Republic be delivered up by the Government of Uruguay to Austria-Hungary.

When the punishable offence giving rise to the demand for extradition shall have been committed beyond the territories of the Contracting Parties, and when the extradition is equally demanded by the Government of the country in which the crime has been committed, effect shall be given to the extradition of the culprit and to his being delivered up to the Government of the latter country.

III. Extradition shall be accorded for the offences enumerated as follows:—

1. Murder and wilful homicide ;
2. Wounds and injuries wilfully inflicted resulting in death, but without the intention of causing it, or in a possibly incurable illness, or in permanent personal disablement ; the destruction or loss of a member or organ, or a serious mutilation ;
3. Rape, or other indecent assaults, committed with violence ;
4. Polygamy, bigamy ;
5. Concealment, suppression, substitution, or imposition of children ;
6. Wilful arson, wilful destruction of a railway causing injury to, or the death of, one or more persons ;
7. Counterfeiting or altering money or State bonds and securities, bank-notes or other notes of public credit having financial currency ; the introduction, issue, and intentional use of such counterfeited or altered money or documents ; the forgery of official documents, postage-stamps, seals, dies, or other marks of the State ; and the intentional use of such forged objects ;

8. Theft committed with violence against the person;

9. Theft without violence, swindling, and fraud, substruction and concealment; forgery of public or private letters, letters of exchange, or other commercial papers, and wilful use of the same; provided that in such cases the extent of the injury exceeds the sum of 1,000 florins in Austria-Hungary or 500 dollars in Uruguay;

10. Perjury in a criminal matter to the injury of the accused;

11. Wilful and culpable acts resulting in the loss, wreck, destruction, or serious damage to ships or other vessels (barratry);

12. Mutiny, or revolt of the crew of a vessel against the captain or superior officers;

13. Fraudulent bankruptcy.

In the above cases attempts at and complicity or participation in such offences shall be sufficient ground for extradition, when such attempts, complicity, or participation are punishable under the legislation of the State making the demand and the State applied to.

IV. The request for extradition shall be made through the diplomatic channel.

In default of a Diplomatic Representative, the application for extradition shall be made by the Ministry for Foreign Affairs of the one country directly to the Ministry for Foreign Affairs of the other.

Extradition shall only be granted upon the production, either in original or in a duly authenticated copy, of the sentence or indictment, or of the warrant of arrest, or of any other document having the same force as such order or sentence.

These documents, which shall be forwarded in the form prescribed by the legislation of the demanding State, shall contain a description of the punishable offence on account of which the proceedings are taken, and the indication of the penalty applicable thereto, and shall be accompanied, as far as possible, by a description of the person claimed, or other proofs by which his identity may be verified.

V. In cases of urgency either Government shall be able, upon notice being given of the existence of a warrant of arrest, to demand and obtain, by the most direct means, the provisional arrest of the accused or condemned person; on condition, however, that the document upon which the request is grounded shall be produced within a period of two months to be reckoned from the date upon which the arrest has been made.

VI. If within the space of three months, counting from the date upon which the accused or condemned person has been put at its disposal, the Government which has made the claim shall not have taken charge of such person, he shall be set at liberty, and shall not be again arrested for the same motive.

In this case the expenses shall be at the charge of the Government making the claim.

VII. If the individual whose extradition is requested by one of the High Contracting Parties in virtue of this Convention is also claimed by one or other Powers on account of penal offences, he shall be delivered to the Government of the State in whose territory the more serious offence shall have been committed, and, in case of equal gravity, he shall be handed over to the Government of the State which first makes the demand.

VIII. In no case shall extradition be granted for crimes or offences of a political character, nor for any acts in connection with the same.

It shall not be considered a political offence, or act connected therewith, the attempt against the person of a superior Chief of a State, or against the members of his family, when such attempt constitutes the crime of murder, assassination, or poisoning.

IX. The individual given up shall not in any case be tried or punished in the State to which he has been handed over for a crime or offence of a political character committed anterior to the extradition, nor for actions connected therewith, nor for any penal offence not indicated in the present Convention.

X. Extradition shall not be granted when, according to the laws of the country to which the extradition is demanded, exemption from prosecution or punishment has been acquired by lapse of time.

Extradition shall likewise not take place when the individual whose extradition is demanded has already been tried and acquitted in the demanding country in respect of the same offence as that upon which the request for extradition is grounded, or if the action is still pending or he has already suffered the corresponding penalty.

XI. Extradition shall, nevertheless, take place even when the individual claimed is proceeded against or is detained on account of obligations contracted towards private individuals; it being allowed, however, to the injured party to prosecute his rights before the competent authority.

XII. If the individual claimed shall be proceeded against or detained in the State to which the demand is made, for an offence other than that giving rise to the demand for extradition, his extradition shall be deferred until the termination of the proceedings, and, in case of condemnation, until he shall have suffered the punishment or shall have been pardoned.

XIII. All the objects which have been used in the commission of the penal offence, or which may have been obtained by the same, as well as those which may be used as proof of the crime ("pieza

de conviccion"), shall be delivered up at the same time as the individual claimed.

This proceeding shall also take place even when the extradition cannot be effected by reason of the death or flight of the accused.

It shall include all the objects of the same nature which the accused shall have concealed or deposited in the country in which he has taken refuge, and which shall be subsequently discovered. The rights of third parties to the objects mentioned shall, however, be reserved, and such objects shall be returned to them, free of expense, on the termination of the proceedings.

XIV. The expenses occasioned by the arrest, the detention, the maintenance, and the transport of the individual whose extradition shall have been granted, as also the transport of the objects referred to in the preceding Article, shall be at the charge of the two Governments in the limits of their respective territories. The cost of transport by sea shall be borne by the Government making the claim.

XV. When, during the course of a penal action, not political, one of the two Contracting Governments considers necessary the evidence of witnesses domiciled in the other State, or any other necessary investigation, a Commission of Request ("Carta Rogatoria") shall be issued for that purpose through the channel indicated in Article IV, and the same shall be executed in accordance with the laws of the country to which the request is made.

The two Contracting Governments renounce reciprocally all claim for expenses connected with the execution of a Commission of Request, except as regards the evidence of experts in commercial or medico-legal affairs.

XVI. The Contracting Parties declare that the three texts of this Convention, viz., the German, the Hungarian, and the Spanish, shall be held to be equally authentic, and, in the event of there being encountered any difference in the three texts, or if there should arise any doubt as to the interpretation of any of the Articles, which cannot be cleared up by a comparison of one text with the two others, that text shall prevail which is most favourable to the extradition of the accused.

XVII. The present Convention shall go into effect from the date of its promulgation in the form prescribed by the laws in force in the territories of the High Contracting Parties.

This promulgation shall take place within six months from the date of the exchange of ratifications.

The Convention may be denounced by either of the High Contracting Parties. It shall, however, continue in force until the expiration of one year from the date of its denunciation.

It shall be ratified, and the ratifications shall be exchanged at Monte Video as soon as possible.*

In faith of which the respective Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at Monte Video, the 25th day of June, 1887.

(L.S.) MANUEL, FREIHERR VON SALZBERG.

(L.S.) JULIO HERRERA Y OBES.

*DECREE of the Queen-Regent of Spain, respecting Trade between the United States and Cuba and Porto Rico.—
San Sebastian, July 28, 1891.*

(Translation.)

By the advice of the Minister of State, acting in concert with the Council of Ministers, and in the name of my august son, King Alfonso XIII, as Queen-Regent, I make the following Decree:—

ART. 1. In return for the exemptions and advantages which have been guaranteed by Declaration of the President of the United States of America (in the exercise of the powers granted to him), in respect of sugar and other products of the Islands

* On the exchange of ratifications of the above Convention, which took place at Monte Video, on the 29th August, 1896, the following Additional Act was signed:—

“His Excellency Herr Anton de Grubissich Keresztúr, Chargé d’Affaires *ad interim* of the Austro-Hungarian Monarchy, and his Excellency Dr. Jayme Estrázulas, Minister for Foreign Affairs of Uruguay, having met at the office of the latter in order to proceed to the exchange of ratifications of the Convention for the Extradition of Criminals concluded and signed by the respective Plenipotentiaries in this city on the 25th June, 1887, and after having communicated to each other their powers, which were found to be in good and due form, perused the corresponding instruments of ratification of the said Convention, which were ascertained to be in conformity with all the stipulations. The exchange of these documents was effected in the usual manner, it being, however, previously declared:

“The Austro-Hungarian Chargé d’Affaires, in virtue of the orders of his Government, and the Minister for Foreign Affairs, in accordance with the Law of May 11, 1895, approving the said Convention, declare that the Supreme Judicial Authorities of the State to which the demand for extradition is made shall be left to decide every such demand, being guided by the procedure followed in their own Courts, in accordance with the internal laws of the country.

“In faith of which the Plenipotentiaries have drawn up the present Act in duplicate, and have signed both copies and sealed them with their seals, at Monte Video, the 29th August, 1896.

(L.S.) “ANTON DE GRUBISSICH KERESZTUR.

(L.S.) “JAYME ESTRAZULAS.”

of Cuba and Porto Rico mentioned in the 3rd section of the New Tariff Law now in force in the said States, the products or manufactures proceeding from that country, specified in the annexed interim Table, with the exceptions therein laid down touching wheat and wheaten flour, will be passed through the custom-houses of the said islands, on and after the 1st September next, subject to the exemptions and abatements therein provided: and those included in Tables (A), (B), (C), and (D),* likewise annexed, will be admitted on the terms similarly laid down in the latter, on and after the 1st July, 1892.

2. All other articles shall still be liable to the duties specified in the third column of the Tariff, together with the authorized surcharges, so far as the Tariff is not replaced by another.

3. The Government shall, in due course, inform the Cortes of the provisions of this Decree.

Given at San Sebastian, the 28th July, 1891.

MARIA CRISTINA.

CARLOS O'DONNELL, *Minister of State.*

NOTES exchanged between Spain and the United States relative to a reciprocal Commercial Arrangement between those Countries.—Washington, January–June, 1891.

Mr. Blaine to Señor Suarez Guanes.

SIR, *Department of State, Washington, January 3, 1891.*

I HAVE the honour to bring to your attention the fact that the Congress of the United States, at its last Session, enacted a Law, of which a copy is inclosed herewith, in which provision was made for the admission into the United States, free of all duty, of the following articles: all sugars not above No. 16 Dutch standard in colour, molasses, coffee, tea, hides, and skins.

In section 3 of this Law it is declared that these remissions of duty were made "with a view to secure reciprocal trade with countries producing" those articles; and it is provided that, whenever the President shall be satisfied that reciprocal favours are not granted to the products of the United States in the countries referred to, "he shall have the power, and it shall be his duty," to impose upon the articles above enumerated, the products of the countries concerned, the rates of duty set forth in section 3.

* See Proclamation of the President of the United States of July 31, 1891, page 81.

The Government of the United States, being earnestly desirous of maintaining with Spain and its Colonies such trade relations as shall be reciprocally equal, and mutually advantageous, I am directed by the President to request you to bring the above-mentioned provisions of this Act of Congress to the attention of your Government, and to express the hope that you may be empowered to enter with me upon the consideration of the subject, with a view to the adjustment of the commercial relations between the two countries on a permanent basis of reciprocity profitable alike to both.

Accept, &c.,

Señor Suarez Guanes.

JAMES G. BLAINE.

Señor Suarez Guanes to Mr. Blaine.

Legation of Spain at Washington, June 8, 1891.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Spain, has the honour to inform the Honourable Secretary of State, in reply to his note of the 3rd January last, that his Government, desirous of strengthening and increasing the commercial relations between Spain and the United States of North America to the benefit of both countries, and being convinced that the community and harmony of their respective interests counsel that said relations should be stimulated and favoured for the greater development and encouragement of their commerce, has decided to respond, as promptly and as fully as its national interests and international engagements permit, to the legislation of the Congress of the United States, as set forth in the note of the 3rd January above mentioned.

He has, therefore, been instructed to inform the Honourable Secretary of State that, in view of there having been decreed the free admission into the United States, from the 1st April of the present year, of sugars, molasses, coffee, tea, and untanned hides, as a provisional measure, until a definitive arrangement between the United States and Spain shall be put in operation, and in reciprocity and compensation for the admission into the ports of the Union, free of all national, State, and municipal duties, of the products of Cuba and Porto Rico, enumerated in the aforesaid note of the 3rd January last, the Government of Her Majesty is prepared to make use in part of the power granted to it by the Law of the 22nd July, 1884, authorizing the admission into all the established ports of Cuba and Porto Rico, from the 1st day of September, 1891, of the articles of merchandize named in the transitory Schedule annexed thereto; provided that the duties of the third column of the Tariffs of the said islands, to which reference is made in said

Schedule, are understood to be those stated in the Tariffs which are now in force, with the additional duties authorized by laws and orders previous to this date.

The necessary condition is imposed that the said merchandize shall be the product or manufacture of the United States, and proceed directly from the ports of these States in the manner stated in the annexed Schedule.

As provided in the same Schedule, the benefit of the reduction of duties granted to American wheat and wheat flour, on their introduction into the ports of Cuba and Porto Rico, shall not take effect until the 1st January, 1892.

Flour shall be excluded from said reduction, and shall not, therefore, share in it, which, on its departure from the ports of the Union, destined to those of Cuba and Porto Rico, may be favoured with drawbacks or other Tariff advantages.

The Government of Spain gives the assurance that, during the existence of this transitory arrangement, no export or port duty, whether national or provincial, shall be imposed on the articles or merchandize exported from Cuba and Porto Rico to the United States, and which the latter nation admits free of duties.

Respecting the North American articles of food, drink, and fuel specified in the annexed transitory Schedule, which are imported into said islands, the Government of Spain, without restricting the rights of the Municipal Councils, will seek to have the latter impose upon them no greater municipal duties than those which national products pay, and that they shall not materially increase the price of said articles.

The Spanish Government reserves the right to propose the laws and adopt the regulations necessary to protect the Customs revenues in said islands, to prevent fraud, and require proof of the North American nationality of the articles enumerated in the annexed Schedule. These laws and regulations shall not be unduly restrictive, nor create additional charges therefor, nor impose new duties on the articles imported.

What has just been stated will convince the President that the Government of Her Majesty responds to the legislation of the Congress of the United States in a spirit of sincere friendship and reciprocity, and, in this firm conviction, it has authorized the Under-signed to conclude with that of the United States the proper executive International Agreement, which shall begin to take effect on the 1st day of September, 1891, and also to agree with the Honourable Secretary of State on the day when it shall be simultaneously and officially published in both countries, with the understanding that this Commercial Arrangement, put in operation under the clauses above stated, shall remain in force so long as it shall not

be modified by the mutual agreement of the executive power of the two countries, always reserving the respective right of the Cortes of Spain and of the Congress of the United States to modify or repeal it whenever they may think proper.

The Undersigned, &c.,

J. G. Blaine, Esq.

M. SUAREZ GUANES.

Note.—The transitory Schedule alluded to in Señor Guanés' note is contained in the President's Proclamation,* with the exception of these paragraphs:—

“It is to be understood that the packages or coverings in which the articles named in the two foregoing Schedules are imported shall enter free of duty if they are usual and proper for the purpose.

“It is agreed that the duties of the third column of the Tariffs of the Islands of Cuba and Porto Rico mentioned in this Schedule are understood to be those stated in the Tariffs now in force, with the additional duties authorized by laws and orders previous to this date.”

Mr. Blaine to Señor Suarez Guanés.

SIR, *Department of State, Washington, June 10, 1891.*

I HAVE great pleasure in acknowledging the receipt of your note of the 8th instant, in which you inform me that, as a provisional measure, until a more definitive arrangement shall be put in operation, the Government of Spain, in reciprocity and compensation for the admission into the ports of the United States, free from all national, State, or municipal duties, of the products of the Spanish Islands of Cuba and Porto Rico, enumerated in my note of the 3rd January last, is prepared by due legal enactments to authorize the free or favoured admission into said islands, from September next, of the articles proceeding directly from, and the product or manufacture of, the United States of America, named in the Schedule attached to your note; that your Government gives the assurance that no export nor port tax, whether national or provincial, shall be imposed on the articles admitted free into the United States; that it will seek to have no greater municipal duties than those paid by national products imposed on the articles named in said Schedule, and that said duties shall not materially increase the price of said articles; and that the laws and regulations which may be adopted by Spain to prevent fraud shall not impose

* July 31, 1891, see page 81.

any additional charges therefor on the articles named in said Schedule imported from the United States.

I am directed by the President to state to you that, as a provisional measure, he accepts this action of the Government of Spain, in proposing to grant exemption of duties to the products of the United States, as a due reciprocity for the action of the Congress of the United States, as set forth in my note to you of the 3rd January last.

I am also pleased to reciprocate the assurance contained in your note, and to state that no export tax, whether national, State, or municipal, can or will be imposed in the United States upon the products and manufactures enumerated in the Schedule attached to your note of the 8th instant.

It may be further understood that, while the Government of the United States reserves the right to adopt such laws and regulations as may be found necessary to protect the revenue and prevent fraud in the declarations and proof that the articles enumerated in my note of the 3rd January last, and whose free admission is provided for by the Tariff Law therein cited, are the product or manufacture of the Islands of Cuba and Porto Rico, the laws and regulations to be adopted to that end shall place no undue restrictions on the importer, nor impose any additional charges therefor upon the articles imported.

It is likewise understood that wheat flour shall not share in the specified reduction of duties which begins to take effect on the 1st January, 1892, which, on its exportation from the United States, may have been favoured with any tariff advantages in the nature of drawbacks.

I have, therefore, to request that you will be so kind as to call at the Department of State at your early convenience, to agree upon the time and manner of making public announcement of this transitory Commercial Arrangement, which, it is understood, shall remain in force so long as it shall not be modified by the mutual agreement of the executive power of the two countries, always reserving the respective right of the Congress of the United States and of the Cortes of Spain to modify or repeal said Arrangement whenever they may think proper.

Accept, &c.,

Señor Guanes.

JAMES G. BLAINE.

Señor Suarez Guanes to Mr. Blaine.

Legation of Spain at Washington, June 12, 1891.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of Spain, has the honour to inform the Honourable

Secretary of State that, a transitory Commercial Arrangement having been agreed upon between the Government of His Majesty and that of the United States of North America, which is to go into effect on the 1st day of September, 1891, and it being the desire of both Governments that said Arrangement should have a definitive character from the time when Spain shall be free from her international engagements, the Government of His Majesty, in reciprocity and compensation for the admission into the ports of the United States of America, free of all national, State, and municipal duties, of the products of Cuba and Porto Rico enumerated in the note of the Honourable Secretary of State of the 3rd January of the present year, is prepared to make full use of the power granted to it by the Law of the 22nd July, 1884, authorizing the admission into all the established ports of said islands from the 1st July, 1892, of the articles or merchandize named in the Schedules annexed to this note, designated by the letters (A), (B), (C), and (D) : provided that the duties of the third column of the Tariffs of the Islands of Cuba and Porto Rico, to which reference is made in said Schedules, are understood to be those stated in the Tariffs which are now in force, with the additional duties authorized by laws and orders previous to this date.

A necessary condition is imposed that said merchandize shall be the product or manufacture of the United States, and proceed directly from the ports of the Union in the manner stated in the annexed Schedules.

The Government of Spain gives the assurance that during the existence of the Arrangement no export or port duty, whether national or provincial, shall be imposed on the articles or merchandize which are exported from Cuba and Porto Rico to the United States, and which the latter nation admits free of duties.

Respecting the North American articles of food, drink, and fuel specified in the annexed Schedules which are imported into said islands, the Government of His Majesty, without restricting the rights of the Municipal Councils, will seek to have the latter impose upon them no greater municipal taxes than those which national products pay, and that they shall not materially increase the price of said articles.

The Government of His Majesty reserves the right to propose the laws and adopt the regulations necessary to protect the Customs revenues in the Islands of Cuba and Porto Rico, to prevent fraud and require proof of the North American nationality of the articles enumerated in the annexed Schedules. These laws shall not be unduly restrictive, nor create additional charges therefor, nor impose new duties on the articles imported.

A repertory shall be compiled to regulate the better application

of the annexed Schedules in the custom-houses of Cuba and Porto Rico, and, as a basis for the classification of articles, the repertory attached to the unratified Treaty of the 18th October, 1884, shall be taken with such modifications as the present Schedules require.

Flour which, on its departure from the ports of the Union for those of Cuba and Porto Rico, is favoured with drawbacks or other Tariff advantages, is excluded from the reduction of duties conceded in the annexed Schedules to American wheat and wheat flour, and shall not share in said favour.

It is to be understood that when this definitive Commercial Arrangement goes into effect, the transitory one shall terminate and be of no further force.

The definitive Arrangement thus put in operation shall remain in force so long as it shall not be modified by the mutual agreement of the executive power of the two countries, always reserving the respective rights of the Cortes of Spain and of the Congress of the United States to modify or repeal said Arrangement whenever they may think proper.

The Governments of the two nations shall fix the day when this definite Arrangement shall be simultaneously and officially published in both countries.

In proposing in the name of his Government the project of the definitive Commercial Arrangement in the terms which he has just transcribed, it remains for the Undersigned to comply with the special instructions which his Government has likewise given to him, to submit to the consideration of the Honourable Secretary of State the serious injuries which have been occasioned to the tobacco production in the Islands of Cuba and Porto Rico in consequence of the increase of duties imposed on said article by the new Tariff Law of the United States, cherishing the hope that, while it may not be possible to diminish them at once in the present Arrangement, because the President of the Union has not the power to do so, the latter will exercise his constitutional powers in order to recommend to Congress the said reduction of duties on the tobacco of Cuba and Porto Rico.

These measures will duly complete the friendly character of the commercial relations between the two countries, for which purpose the Spanish Government has not hesitated to facilitate, as far as was within its power, the negotiations of the present reciprocity arrangement.

The Undersigned Minister hopes, therefore, that the President will comply with these proper desires of the Government of His Majesty, and that the Secretary of State will respond to the same in a separate note, if possible, at the time he replies to the proposition for the arrangement contained in the present note, and he

gladly improves this opportunity to repeat the assurances of his highest consideration.

J. G. Blaine, Esq.

M. SUAREZ GUANES.

Note.—Schedules (A), (B), (C), and (D), referred to in Señor Guanés' note, are included in the President's Proclamation,* with the exception of the following paragraph in Schedule (B):—

"It is to be understood that the packages or coverings in which the articles named in the foregoing Schedules (A) and (B) are imported shall be free of duty if they are usual and proper for the purpose;" and the following in Schedule (C):—

"It is agreed that the Third Column of the Tariffs of the Islands of Cuba and Porto Rico, mentioned in this Schedule, are understood to be those stated to be the Tariffs now in force with the additional duties authorized by laws and orders previous to this date;" and the following in Schedule (D):—

"It is agreed that the duties of the Third Column of the Tariffs of the Islands of Cuba and Porto Rico, mentioned in this Schedule, are understood to be those stated in the Tariffs now in force, with the additional duties authorized by laws and orders previous to this date."

Mr. Blaine to Señor Suarez Guanés.

SIR, *Department of State, Washington, June 16, 1891.*

HAVING already had the honour to enter with you upon a transitory Commercial Arrangement between the United States and the Islands of Cuba and Porto Rico, to go into effect the 1st September next, I now have the pleasure to acknowledge the receipt of your note of the 12th instant, in which you inform me that, with the object of giving a definitive character to said Commercial Arrangement, the Government of Spain, in reciprocity and compensation for the admission into the ports of the United States of America, free from all national, State, and municipal duties, of the products of Cuba and Porto Rico, enumerated in my note of the 3rd January last, is prepared by due legal enactment to authorize the admission into said islands, from the 1st July, 1892, of the articles of merchandize named in the Schedules annexed to your note of the 12th instant, on the conditions stated in said note and Schedules; that your Government gives the assurance that no export nor port tax, whether national or provincial, shall be imposed on the articles admitted free into the United States; that it will see to have no greater municipal duties than those paid by national products

* July 31, 1891, see page 81.

imposed on the articles named in said Schedules, and that said duties shall not materially increase the price of said articles; and that the laws and regulations which may be adopted by Spain to prevent fraud shall not impose any additional charges therefor on the articles named in said Schedules imported from the United States.

I am directed by the President to state that he accepts this action of the Government of Spain, in proposing to grant exemption of duties to the products of the United States, as a due reciprocity for the action of the Congress of the United States, as set forth in my note to you of the 3rd January last.

I am also pleased to reciprocate the assurance contained in your note, and to state that no export tax, whether national, State, or municipal, can or will be imposed in the United States upon the products and manufactures enumerated in the Schedules attached to your note of the 12th instant.

It may be further understood that, while the Government of the United States reserves the right to adopt such laws and regulations as may be found necessary to protect the revenue, and prevent fraud in the declarations and proof that the articles enumerated in my note of the 3rd January last, and whose free admission is provided for by the Tariff Law therein cited, are the product or manufacture of the Islands of Cuba and Porto Rico, the laws and regulations to be adopted to that end shall place no undue restrictions on the importer, nor impose any additional charges therefor upon the articles imported.

It is likewise understood that wheat flour shall not share in the reduction of duties specified in Schedule (B), attached to your note of the 12th instant, which, on its exportation from the United States, may have been favoured with any Tariff advantages in the nature of drawbacks.

It is agreed that a repertory shall be compiled before the present Commercial Arrangement goes into force under the joint supervision of the Department of State and the Spanish Legation in Washington, to regulate the better application of the said Schedules in the Custom-houses of Cuba and Porto Rico upon the basis stated in your note.

It is also agreed that when this definitive Commercial Arrangement goes into effect the transitory Arrangement to be put into operation on the 1st September next shall terminate, and be of no further force.

I have, therefore, to request that you will call at the Department of State at your early convenience to agree upon the time and manner of making public announcement of this definitive Commercial Arrangement, which, it is understood, shall remain in force

so long as it shall not be modified by the mutual agreement of the Executive power of the two countries, always reserving the respective right of the Congress of the United States and of the Cortes of Spain to modify or repeal said Arrangement whenever they may think proper.

In conclusion, I am directed by the President to state that the suggestion contained in your note respecting tobacco shall have his careful consideration, and that it shall be the subject of a separate note.

I improve the opportunity, &c.

Señor Guanes.

JAMES G. BLAINE.

ARRANGEMENT concernant l'Échange des Lettres et des Boîtes avec Valeur déclarée conclu entre l'Allemagne, la République Argentine, l'Autriche-Hongrie, la Belgique, le Brésil, la Bulgarie, la République de Costa-Rica, le Danemark et les Colonies Danoises, l'Égypte, l'Espagne, la France et les Colonies Françaises, l'Italie, la République de Libéria, le Luxembourg, la Norvège, les Pays-Bas, le Portugal et les Colonies Portugaises, la Roumanie, la Russie, le Salvador,† la Serbie, la Suède, la Suisse, la Régence de Tunis, et la Turquie.‡— Signé à Vienne, le 4 Juillet, 1891.‡*

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus énumérés, vu l'Article XIX de la Convention principale, § ont, d'un commun accord et sous réserve de ratification, arrêté l'Arrangement suivant :—

ART. I.—1. Il peut être expédié, de l'un des pays mentionnés ci-dessus pour un autre de ces pays, des lettres contenant des valeurs-papier déclarées et des boîtes contenant des bijoux et objets précieux déclarés avec assurance du montant de la déclaration.

La participation au service des boîtes avec valeur déclarée est limitée aux échanges entre ceux des pays adhérents dont les Administrations sont convenues d'établir ce service dans leurs relations réciproques.

2. Le poids maximum des boîtes est fixé à 1 kilog. par envoi.

3. Les divers Offices, pour leurs rapports respectifs, ont la faculté de déterminer un maximum de déclaration de valeur qui,

* Not signed by Costa Rica.

† Not ratified by Salvador or Turkey.

‡ Adhesion of Chile notified by Circular of May 30, 1892; of Dominican Republic, April 28, 1892.

§ Page 513.

dans aucun cas, ne peut être inférieur à 10,000 fr. par envoi, et il est entendu que les diverses Administrations intervenant dans le transport ne sont engagées que jusqu'à concurrence du maximum qu'elles ont respectivement adopté.

4. Les lettres et boîtes expédiées avec déclaration de valeur peuvent être grevées de remboursement jusqu'au montant de 500 fr., aux conditions admises par l'Article VII de la Convention principale.

II.—1. La liberté du transit est garantie sur le territoire de chacun des pays adhérents, et la responsabilité des Offices qui participent à ce transport est engagée dans les limites déterminées par l'Article XI ci-après.

Il en est de même à l'égard du transport maritime effectué ou assuré par les Offices des pays adhérents, pourvu toutefois que ces Offices soient en mesure d'accepter la responsabilité des valeurs à bord des paquebots ou bâtiments dont ils font emploi.

2. A moins d'arrangement contraire entre les Offices d'origine et de destination, la transmission des valeurs déclarées échangées entre pays non limitrophes s'opère à découvert et par les voies utilisées pour l'acheminement des correspondances ordinaires.

3. L'échange de lettres et de boîtes contenant des valeurs déclarées entre deux pays qui correspondent, pour les relations ordinaires, par l'intermédiaire d'un ou de plusieurs pays non participant au présent Arrangement, ou au moyen de services maritimes dégagés de responsabilité, est subordonné à l'adoption de mesures spéciales à concerter entre les Administrations des pays d'origine et de destination, telles que l'emploi d'une voie détournée, l'expédition en dépêches closes, &c.

III.—1. Les frais de transit prévus par l'Article IV de la Convention principale sont payables par l'Office d'origine aux Offices qui participent au transport intermédiaire, à découvert ou en dépêches closes, des lettres contenant des valeurs déclarées.

2. Un port de 50 centimes par envoi est payable par l'Office d'origine des boîtes de valeur déclarée à l'Administration du pays de destination et, s'il y a lieu, à chacune des Administrations participant au transport territorial intermédiaire. L'Office d'origine doit payer, en outre, le cas échéant, un port de 1 fr. à chacune des Administrations participant au transport maritime intermédiaire.

3. Indépendamment de ces frais et ports, l'Administration du pays d'origine est redevable, à titre de droit d'assurance, envers l'Administration du pays de destination et, s'il y a lieu, envers chacune des Administrations participant au transit territorial avec garantie de responsabilité, d'un droit proportionnel de 5 centimes par chaque somme de 300 fr. ou fraction de 300 fr. déclarée.

4. En outre, s'il y a transport par mer avec la même garantie,

l'Administration d'origine est redevable, envers chacun des Offices participant à ce transport, d'un droit d'assurance maritime de 10 centimes par chaque somme de 300 fr. ou fraction de 300 fr. déclarée.

IV.—1. La taxe des lettres et des boîtes contenant des valeurs déclarées doit être acquittée à l'avance et se compose :—

(1.) Pour les lettres, du port et du droit fixe applicables à une lettre recommandée du même poids et pour la même destination—port et droit acquis en entier à l'Office expéditeur ; pour les boîtes, d'un port de 50 centimes par pays participant au transport territorial et, le cas échéant, d'un port de 1 fr. par pays participant au transport maritime ;

(2.) Pour les lettres et les boîtes, d'un droit proportionnel d'assurance calculé, par 300 fr. ou fraction de 300 fr. déclarés, à raison de 10 centimes pour les pays limitrophes ou reliés entre eux par un service maritime direct, et à raison de 25 centimes pour les autres pays ; avec addition, s'il y a lieu, dans l'un et l'autre cas, du droit d'assurance maritime prévu au dernier alinéa de l'Article III précédent.

Toutefois, comme mesure de transition, est réservée à chacune des Parties Contractantes, pour tenir compte de ses convenances monétaires ou autres, la faculté de percevoir un droit autre que celui indiqué ci-dessus, moyennant que ce droit ne dépasse pas $\frac{1}{2}$ pour cent de la somme déclarée.

2. L'expéditeur d'un envoi contenant des valeurs déclarées reçoit, sans frais, au moment du dépôt, un récépissé sommaire de son envoi.

3. Il est formellement convenu que, sauf dans le cas de réexpédition prévu au paragraphe 2 de l'Article IX ci-après, les lettres et les boîtes renfermant des valeurs déclarées ne peuvent être frappées, à la charge des destinataires, d'aucun droit postal autre que celui de remise à domicile, s'il y a lieu.

V. Les lettres de valeur déclarée échangées par les Administrations Postales entre elles sont admises à la franchise de port et de droit d'assurance dans les conditions déterminées par l'Article XI, § 2, de la Convention principale.

VI.—1. L'expéditeur d'un envoi contenant des valeurs déclarées peut obtenir, aux conditions déterminées par l'Article VI de la Convention principale en ce qui concerne les objets recommandés, qu'il lui soit donné avis de la remise de cet envoi au destinataire.

2. Le produit du droit applicable aux avis de réception est acquis en entier à l'Office du pays d'origine.

VII.—1. L'expéditeur d'un envoi avec valeur déclarée peut le retirer du service ou en faire modifier l'adresse pour réexpédier cet envoi soit à l'intérieur du pays de destination primitif, soit sur l'un quelconque des pays contractants, aussi longtemps qu'il n'a pas été

livré au destinataire, aux conditions et sous les réserves déterminées, pour les correspondances ordinaires et recommandées, par l'Article IX de la Convention principale. Ce droit est limité, en ce qui concerne la modification des adresses, aux envois dont la déclaration ne dépasse pas 500 fr.

2. Il peut de même demander la remise à domicile par porteur spécial, aussitôt après l'arrivée, aux conditions et sous les réserves fixées par l'Article XIII de la dite Convention.

Est toutefois réservée à l'Office du lieu de destination la faculté de faire remettre par exprès un avis d'arrivée de l'envoi lui-même, lorsque ses règlements intérieurs le comportent.

VIII.—1. Toute déclaration frauduleuse de valeur supérieure à la valeur réellement insérée dans une lettre ou dans une boîte est interdite.

En cas de déclaration frauduleuse de cette nature, l'expéditeur perd tout droit à l'indemnité, sans préjudice des poursuites judiciaires que peut comporter la législation du pays d'origine.

2. Il est également interdit d'insérer dans les boîtes avec valeur déclarée des lettres ou notes pouvant tenir lieu de correspondance, des monnaies ayant cours, des billets de banque ou valeurs quelconques au porteur, des titres et des objets rentrant dans la catégorie des papiers d'affaires.

Il n'est pas donnée cours aux objets tombant sous le coup de cette interdiction.

IX.—1. Une lettre ou boîte de valeur déclarée réexpédiée, par suite du changement de résidence du destinataire, à l'intérieur du pays de destination, n'est passible d'aucune taxe supplémentaire.

2. En cas de réexpédition sur un des pays contractants autre que le pays de destination, les droits d'assurance fixés par les paragraphes 3 et 4 de l'Article III du présent Arrangement sont perçus sur le destinataire, du chef de la réexpédition, au profit de chacun des Offices intervenant dans le nouveau transport. Quand il s'agit d'une boîte avec valeur déclarée, il est perçu en outre le port fixé au § 2 de l'Article III susvisé.

3. La réexpédition par suite de fausse direction ou de mise en rebut ne donne lieu à aucune perception postale supplémentaire à la charge du public.

X.—1. Les boîtes avec valeur déclarée sont soumises à la législation du pays d'origine ou de destination, en ce qui concerne, à l'exportation, la restitution des droits de garantie, et, à l'importation, l'exercice du contrôle de la garantie et de la douane.

2. Les droits fiscaux et frais d'essayage exigibles à l'importation sont perçus sur les destinataires lors de la distribution. Si, par suite de changement de résidence du destinataire, de refus ou pour toute autre cause, une boîte de valeur déclarée vient à être

réexpédiée sur un autre pays participant à l'échange ou renvoyée au pays d'origine, ceux des frais dont il s'agit qui ne sont pas remboursables à la réexportation sont répétées d'Office à Office pour être recouvrés sur le destinataire ou sur l'expéditeur.

XI.—1. Sauf le cas de force majeure, lorsqu'une lettre ou une boîte contenant des valeurs déclarées a été perdue, spoliée ou avariée, l'expéditeur ou, sur sa demande, le destinataire, a droit à une indemnité correspondant au montant réel de la perte, de la spoliation, ou de l'avarie, à moins que le dommage n'ait été causé par la faute ou la négligence de l'expéditeur, ou ne provienne de la nature de l'objet, et sans que l'indemnité puisse dépasser en aucun cas la somme déclarée.

2. Les pays disposés à se charger des risques pouvant dériver du cas de force majeure sont autorisés à percevoir de ce chef une surtaxe dans les limites tracées par le dernier alinéa du § 1 de l'Article IV du présent Arrangement.

3. L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur. Est réservé à cette Administration le recours contre l'Administration responsable, c'est-à-dire, contre l'Administration sur le territoire ou dans le service de laquelle la perte ou la spoliation a eu lieu.

Dans le cas où l'Office responsable aurait notifié à l'Office expéditeur de ne point effectuer le paiement, il devrait rembourser à ce dernier Office les frais qui seraient la conséquence du non-paiement.

4. Jusqu'à preuve du contraire, la responsabilité incombe à l'Administration qui, ayant reçu l'objet sans faire d'observation, ne peut établir ni la délivrance au destinataire ni, s'il y a lieu, la transmission régulière à l'Administration suivante.

5. Le paiement de l'indemnité par l'Office expéditeur doit avoir lieu le plus tôt possible, et, au plus tard, dans le délai d'un an à partir du jour de la réclamation. L'Office responsable est tenu de rembourser, sans retard et au moyen d'une traite ou d'un mandat de poste, à l'Office expéditeur, le montant de l'indemnité payée par celui-ci.

6. Il est entendu que la réclamation n'est admise que dans le délai d'un an à partir du dépôt à la poste de la lettre portant déclaration; passé ce terme, le réclamant n'a droit à aucune indemnité.

7. L'Administration, pour le compte de laquelle est opéré le remboursement du montant des valeurs déclarées non parvenues à destination, est subrogée dans tous les droits du propriétaire.

8. Si la perte, la spoliation, ou l'avarie a eu lieu en cours de transport entre les bureaux d'échange de deux pays limitrophes, sans qu'il soit possible d'établir sur lequel des deux territoires le

fait s'est accompli, les deux Administrations en cause supportent le dommage par moitié.

Il en est de même en cas d'échange en dépêches closes, si la perte, la spoliation, ou l'avarie a eu lieu sur le territoire ou dans le service d'un Office intermédiaire non responsable.

9. Les Administrations cessent d'être responsables des valeurs déclarées contenues dans les envois dont les ayants droit ont donné reçu.

XII.—1. Est réservé le droit de chaque pays d'appliquer, aux envois contenant des valeurs déclarées à destination ou provenant d'autres pays, ses lois ou règlements intérieurs, en tant qu'il n'y est pas dérogé par le présent Arrangement.

2. Les stipulations du présent Arrangement ne portent pas restriction au droit des Parties Contractantes de maintenir et de conclure des Arrangements spéciaux, ainsi que de maintenir et d'établir des unions plus restreintes, en vue de l'amélioration du service des lettres et des boîtes contenant des valeurs déclarées.

XIII. Chacune des Administrations des pays contractants peut, dans des circonstances extraordinaires de nature à justifier la mesure, suspendre temporairement le service des valeurs déclarées, tant à l'expédition qu'à la réception et d'une manière générale ou partielle, sous la condition d'en donner immédiatement avis, au besoin par le télégraphe, à l'Administration ou aux Administrations intéressées.

XIV. Les pays de l'Union qui n'ont point pris part au présent Arrangement sont admis à y adhérer sur leur demande et dans la forme prescrite par l'Article XXIV de la Convention principale, en ce qui concerne les adhésions à l'Union Postale Universelle.

XV. Les Administrations des Postes des pays contractants règlent la forme et le mode de transmission des lettres et des boîtes contenant des valeurs déclarées et arrêtent toutes les autres mesures de détail ou d'ordre nécessaires pour assurer l'exécution du présent Arrangement.*

XVI.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des lettres et des boîtes avec valeur déclarées.

2. Toute proposition est soumise au procédé déterminé par le § 2 de l'Article XXVI de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

* See Règlement, page 954.

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles I, II, III, IV, V, VII, XI, et XVII;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions du présent Arrangement autres que celles des Articles I, II, III, IV, V, VII, XI, XVI, et XVII;

(3.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions du présent Arrangement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et, dans le troisième cas, par une notification administrative, selon la forme indiquée à l'Article XXVI de la Convention principale.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XVII.—1. Le présent Arrangement entrera en vigueur le 1^{er} Juillet, 1892, et il aura la même durée que la Convention principale, sans préjudice du droit, réservé à chaque pays, de se retirer de cet Arrangement moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse.

2. Sont abrogées, à partir du jour de la mise à exécution du présent Arrangement, toutes les dispositions convenues antérieurement entre les divers pays contractants ou entre leurs Administrations, pour autant qu'elles ne sont pas conciliables avec les termes du présent Arrangement, et sans préjudice des dispositions de l'Article XII précédent.

3. Le présent Arrangement sera ratifié aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne

En foi de quoi les Plénipotentiaires des pays ci-dessus énumérés ont signé le présent Arrangement à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne DR. v. STEPHAN.
SACHSE.
FRITSCH.

Pour la République Argentine.. CARLOS CALVO.

Pour l'Autriche OBENTHAUT.
DR. HOFMANN.
DR. LILIENAU.
HABBERGER.

Pour la Hongrie.. .. P. HEIM.
S. SCHRIMPF.

Pour la Belgique LICHTERVELDE.

Pour le Brésil LUIZ BEZIM PAES LEME.

Pour la Bulgarie P. M. MATTHEFF.

Pour la République de Costa-			
Rica .. ..	..	..	..
Pour le Danemark et les Co-			
lonies Danoises .. ..	..	..	LUND.
Pour l'Égypte .. ..	..	..	Y. SABA.
Pour l'Espagne .. ..	..	..	FEDERICO BAS.
Pour la France .. ..	..	..	MONTMARIN.
			J. DE SELVES.
			ANSAULT.
Pour les Colonies Françaises ..	..	..	G. GABRIÉ.
Pour l'Italie .. ..	..	..	EMIDIO CHIARADIA.
			FELICE SALIVETTO.
Pour la République de Libéria..			BARON DE STEIN.
			W. KOENTZER.
			C. GOEDEL.
Pour le Luxembourg .. ..	..	..	MONGENAST.
Pour la Norvège.. ..	..	..	THB. HEYERDAHL.
Pour les Pays-Bas .. ..	..	..	HOFSTEDE.
			BARON VAN DER FELTZ.
Pour le Portugal et les Colonies			
Portugaises .. ..	..	..	GUILHERMINO AUGUSTO
			DE BARROS.
Pour la Roumanie .. ..	..	..	COLONEL A. GORJEAN.
			S. DIMITRESCU.
Pour la Russie .. ..	..	..	GÉNÉRAL DE BESACK.
			A. SKALKOVSKY.
Pour le Salvador .. ..	..	..	LOUIS KEHLMANN.
Pour la Serbie .. ..	..	..	SVETOZAR J. GVOZDITCH.
			ÉT. W. POPOVITCH.
Pour la Suède .. ..	..	..	E. VON KRUSENSTJERNA.
Pour la Suisse .. ..	..	..	ED. HÖHN.
			C. DELESSERT.
Pour la Régence de Tunis ..	..	..	MONTMARIN.
Pour la Turquie.. ..	..	..	E. PETACCI.
			A. FAHRI.

RÈGLEMENT de Détail et d'Ordre pour l'exécution de l'Arrangement concernant l'Échange des Lettres et des Boîtes avec Valeur déclarée.—Vienne, le 4 Juillet, 1891.

LES Soussignés, vu l'Article XIX de la Convention Principale* et l'Article XV de l'Arrangement concernant l'échange des lettres

et des boîtes avec valeur déclarée,* ont, au nom de leurs Administrations respectives, arrêté d'un commun accord les mesures suivantes pour assurer l'exécution du dit Règlement :—

I.—1. Les Administrations Postales des pays adhérents qui entretiennent des services maritimes réguliers utilisés pour le transport des correspondances ordinaires, dans le ressort de l'Union, désignent aux Offices des autres pays adhérents ceux de ces services qui peuvent être affectés au transport des lettres et des boîtes contenant des valeurs déclarées, avec garantie de responsabilité.

2. Les Administrations des pays contractants se notifient mutuellement, au moyen de Tableaux conformes au modèle (A) ci-annexé, savoir :

(1.) La nomenclature des pays par rapport auxquels elles peuvent respectivement servir d'intermédiaires pour le transport des lettres et des boîtes de valeur déclarée ;

(2.) Les voies ouvertes à l'acheminement des dits envois, à partir de leur entrée sur leurs territoires ou dans leurs services ;

(3.) Le montant, pour chaque destination, des sommes à leur bonifier, à titre de frais de transport, par l'Office qui leur transmet des boîtes ;

(4.) Le montant des droits d'assurance qui doivent leur être également bonifiés pour chaque destination, par l'Office qui leur livre des lettres ou des boîtes à découvert.

3. Les Administrations des pays hors d'Europe et l'Office Ottoman ont la faculté de restreindre à certains bureaux le service des envois avec valeur déclarée. Les Administrations qui usent de cette faculté doivent notifier, aux autres Offices participants, la liste de ceux de leurs bureaux à destination desquels il peut être admis des envois avec valeur déclarée.

4. Au moyen des Tableaux (A) reçus de ses correspondants, chaque Administration détermine les voies à employer pour la transmission de ses valeurs déclarées et les droits à percevoir sur les expéditeurs, d'après les conditions dans lesquelles s'effectue le transport intermédiaire.

5. Chaque Administration doit faire connaître directement, au premier Office intermédiaire, quels sont les pays pour lesquels elle se propose de lui livrer à découvert des lettres et des boîtes contenant des valeurs déclarées.

II.—1. Les lettres contenant des valeurs déclarées ne peuvent être admises que sous une enveloppe fermée au moyen de cachets en cire fine, espacés, reproduisant un signe particulier et appliqués en nombre suffisant pour retenir tous les plis de l'enveloppe. Il est interdit d'employer des enveloppes à bords coloriés.

2. Chaque lettre doit, d'ailleurs, être conditionnée de manière qu'il ne puisse être porté atteinte à son contenu sans endommager extérieurement et visiblement l'enveloppe ou les cachets.

3. Les timbres-poste employés à l'affranchissement doivent être espacés, afin qu'ils ne puissent servir à cacher les lésions de l'enveloppe. Ils ne doivent pas non plus être repliés sur les deux faces de l'enveloppe de manière à couvrir la bordure.

4. Les bijoux ou objets précieux sont renfermés dans des boîtes en bois n'excédant pas 30 centim. en longueur, 10 centim. en largeur, et 10 centim. en hauteur, et dont les parois doivent avoir au moins 8 millim. d'épaisseur.

5. Les boîtes de valeur déclarée doivent être entourées d'un croisé de ficelle solide, sans nœuds, et dont les deux bouts sont réunis sous un cachet en cire fine portant une empreinte particulière. Les boîtes sont, en outre, scellées, sur les quatre faces latérales, de cachets identiques. Les faces supérieure et inférieure doivent être recouvertes de papier blanc, pour recevoir l'adresse du destinataire, la déclaration de la valeur et l'empreinte des timbres de service.

6. Les lettres et boîtes contenant des valeurs déclarées adressées sous des initiales, ou dont l'adresse est indiquée au crayon, ne sont pas admises.

III.—1. La déclaration des valeurs doit être exprimée en francs et centimes ou dans la monnaie du pays d'origine, et être inscrite par l'expéditeur sur l'adresse de l'envoi en toutes lettres et en chiffres, sans rature ni surcharge, même approuvés.

2. Lorsque la déclaration est formulée en une monnaie autre que la monnaie de franc, l'Office du pays d'origine est tenu d'en opérer la réduction en cette dernière monnaie, au pair, en indiquant, par de nouveaux chiffres, placés à côté ou au-dessous des chiffres représentatifs du montant de la déclaration, l'équivalent de celle-ci en francs et centimes. Cette disposition n'est pas applicable aux relations directes entre pays ayant une monnaie commune.

3. Les boîtes de valeur déclarée doivent être accompagnées de déclarations en douane conformes ou analogues au modèle (B) ci-joint, dans les relations qui comportent l'emploi de semblables déclarations. Il appartient aux Administrations intéressées d'adresser une notification à ce sujet aux Offices correspondants, et de leur indiquer le nombre des déclarations en douane à joindre aux envois.

IV. Les dispositions de l'Article XIII de la Convention Principale et de l'Article XXX de son Règlement de Détail et d'Ordre* sont respectivement applicables en cas de demande, soit de remise par exprès, soit de retrait ou de changement d'adresse d'une lettre ou boîte avec valeur déclarée.

V. Lorsque des circonstances fortuites ou les réclamations des

intéressés viennent à révéler l'existence d'une déclaration frauduleuse de valeur supérieure à la valeur réelle insérée dans une lettre ou boîte, avis en est donné à l'Administration du pays d'origine, dans le plus bref délai possible, et, le cas échéant, avec les pièces de l'enquête à l'appui.

VI.—1. Le poids exact, en grammes, de chaque lettre ou boîte contenant des valeurs déclarées doit être inscrit sur l'envoi, par l'Office d'origine, à l'angle gauche supérieur de la suscription.

2. L'envoi est, en outre, frappé par le bureau d'origine, du côté de la suscription, du timbre indiquant le lieu et la date du dépôt, et, le cas échéant, du timbre spécial en usage dans le pays d'origine pour les lettres ou boîtes contenant des valeurs déclarées.

3. Le bureau destinataire applique, au verso, son propre timbre à la date de la réception.

VII.—1. La transmission des envois contenant des valeurs déclarées, entre pays limitrophes ou reliés entre eux au moyen d'un service maritime direct, est effectuée par ceux des bureaux d'échange que les deux Offices correspondants désignent d'un commun accord à cet effet.

2. Dans les rapports entre pays séparés par un ou plusieurs services intermédiaires, les lettres et boîtes de valeur déclarée doivent toujours suivre la voie la plus directe et être livrées à découvert au premier Office intermédiaire, si cet Office est à même d'assurer la transmission dans les conditions déterminées par l'Article I du présent Règlement.

3. Toutefois, est réservée aux Offices correspondants la faculté de s'entendre, soit pour échanger des valeurs déclarées en dépêches closes au moyen des services d'un ou de plusieurs pays intermédiaires participant ou non à l'Arrangement, soit pour assurer la transmission à découvert par des voies détournées, au cas où ce mode de transmission ne comporte pas, par la voie directe, la garantie de responsabilité sur tout le parcours.

VIII.—1. Les lettres et les boîtes contenant des valeurs déclarées sont inscrites par le bureau d'échange expéditeur sur des feuilles d'envoi spéciales, conformes au modèle (C) annexé au présent Règlement, avec tous les détails que ces formules comportent.

2. Elles forment avec cette feuille un ou deux paquets spéciaux qui sont ficelés et enveloppés de papier solide, puis ficelés extérieurement et cachetés à la cire fine sur tous les plis, au moyen du cachet du bureau d'échange expéditeur. Ces paquets portent pour suscription les mots "valeurs déclarées" ou "lettres de valeur déclarée," et "boîtes de valeur déclarée," avec indication au-dessous du poids brut en grammes. Ils doivent être insérés au centre de la dépêche.

3. La présence, ou, s'il y a lieu, l'absence, de tels paquets dans une dépêche est constatée au bas du Tableau No. 1 de la feuille d'avis, sous le titre "Recommandation d'Office," et, suivant le cas, par une note ainsi conçue, "Un paquet de valeurs déclarées, un paquet de lettres de valeur déclarée, un paquet de boîtes de valeur déclarée pesant grammes;" ou bien "Pas de valeurs déclarées à expédier."

4. Le paquet ou les paquets de valeur déclarée sont réunis par un croisé de ficelle au paquet des objets recommandés; à ces paquets réunis est attachée extérieurement l'enveloppe spéciale renfermant la feuille d'avis.

5. Toutes les fois qu'un des deux Offices correspondants réclame la séparation, les boîtes de valeur déclarée doivent être décrites sur des formules (C) distinctes, et être emballées séparément. En pareil cas, les paquets ou sacs renfermant les deux catégories d'envois de valeur déclarée sont réunis au paquet ou sac des objets recommandés.

6. Les avis de réception des envois de valeur déclarée sont traités conformément aux dispositions des Articles IX et XI du Règlement de Détail et d'Ordre pour l'exécution de la Convention Principale.

7. Les dispositions du présent Article peuvent être modifiées d'un commun accord entre deux Offices correspondants, dans les relations où ces dispositions seraient incompatibles avec le régime particulier de l'un d'eux.

IX.—1. A la réception d'un paquet de valeur déclarée, le bureau d'échange destinataire commence par rechercher si ce paquet ne présente aucune irrégularité, soit dans son état ou sa confection extérieure, soit dans l'accomplissement des formalités auxquelles la transmission est soumise par l'Article précédent. Il vérifie également le poids brut du paquet.

2. Ce bureau procède ensuite à la vérification particulière des envois contenant des valeurs déclarées et, s'il y a lieu, à la constatation des manquants ou autres irrégularités, ainsi qu'à la rectification des feuilles d'envoi, en se conformant aux règles tracées pour les objets recommandés par l'Article XIV du Règlement de Détail et d'Ordre de la Convention Principale.

3. La constatation soit d'un manquant, soit d'une altération ou irrégularité de nature à engager la responsabilité des Administrations respectives, est opérée au moyen d'un procès-verbal qui est transmis, accompagné des enveloppes, ficelles et cachets du paquet, à l'Administration Centrale du pays auquel appartient le bureau d'échange destinataire. Un double de ce document est en même temps adressé, sous recommandation d'office, à l'Administration Centrale à laquelle ressortit le bureau d'échange expéditeur, indé-

pendamment du bulletin de vérification à transmettre immédiatement à ce bureau.

4. Sans préjudice de l'application des dispositions du § 3, le bureau d'échange qui reçoit d'un bureau correspondant un envoi insuffisamment emballé ou avarié doit y donner cours après l'avoir emballé de nouveau, s'il y a lieu, en conservant autant que possible l'emballage primitif. En pareil cas, le poids de l'envoi doit être constaté avant et après le nouvel emballage.

X.—1. Les lettres et les boîtes de valeur déclarée réexpédiées par suite de fausse direction sont acheminées sur leur destination par la voie la plus rapide dont peut disposer l'Office réexpéditeur.

Lorsque la réexpédition entraîne restitution des envois de l'espèce à l'Office expéditeur, les bonifications inscrites à la feuille d'envoi de cet Office sont annulées et le bureau d'échange réexpéditeur livre ces envois pour mémoire à son correspondant, après avoir signalé l'erreur par un bulletin de vérification.

Dans le cas contraire, et si les droits bonifiés à l'Office réexpéditeur sont insuffisants pour couvrir sa part de ces droits et les frais de réexpédition qui lui incombent, il se crédite de la différence en forçant la somme inscrite à son avoir sur la feuille d'envoi du bureau d'échange expéditeur. Le motif de cette rectification est notifié au dit bureau au moyen d'un bulletin de vérification.

2. Les lettres et boîtes de valeur déclarée réexpédiées, par suite du changement de résidence des destinataires, sur un des pays contractants, sont frappées du timbre (T) par l'Office réexpéditeur et grevées à la charge du destinataire, par l'Office distributeur, d'une taxe représentant le droit revenant à ce dernier Office, et, s'il y a lieu, à chacun des Offices intermédiaires.

Dans ce dernier cas, le premier Office intermédiaire qui reçoit une valeur déclarée réexpédiée se crédite du montant de son droit vis-à-vis de l'Office auquel il livre cet envoi, et ce dernier, à son tour, s'il n'est lui-même qu'un intermédiaire, répète sur l'Office suivant son propre droit cumulé avec celui dont il a tenu compte à l'Office précédent. La même opération se poursuit dans les rapports entre les différents Offices participant au transport jusqu'à ce que l'envoi parvienne à l'Office distributeur.

Toutefois, si les droits exigibles pour le parcours ultérieur d'un envoi réexpédié sont acquittés au moment de la réexpédition, cet envoi est traité comme s'il était adressé directement du pays réexpéditeur dans le pays de destination, et remis sans taxe au destinataire.

3. Toute lettre ou boîte de valeur déclarée dont le destinataire est parti pour un pays non participant au présent Arrangement est renvoyée immédiatement en rebut au pays d'origine, pour être

rendue à l'expéditeur, à moins que l'Office de la première destination ne soit en mesure de la faire parvenir.

4. Les envois de valeur déclarée qui sont tombés en rebut, pour quelque cause que ce soit, sont réciproquement renvoyés aussitôt après leur mise en rebut et par l'intermédiaire des bureaux d'échange respectifs. Ces envois sont inscrits pour mémoire sur la feuille spéciale (C) avec la mention "Rebuts" dans la colonne d'observations, et compris dans le paquet intitulé "Valeurs déclarées."

5. Si des boîtes de valeur déclarée réexpédiées sur un autre pays par suite de changement de résidence du destinataire, ou tombées en rebut sont grevées de frais accessoires de vérification non remboursables lors de la réexpédition, le montant en est porté au débit de l'Office correspondant, dans la colonne 9 de la feuille d'envoi, avec indication sommaire en regard, dans la colonne 10, de la nature des frais de l'espèce à recouvrer sur le destinataire ou sur l'expéditeur (droit de timbre, frais d'essayage, &c.).

XI. Jusqu'à preuve du contraire, l'Administration qui a transmis une lettre ou une boîte contenant des valeurs déclarées à une autre Administration est déchargée de toute responsabilité par rapport à ces valeurs, si le bureau d'échange auquel la lettre ou la boîte a été livrée n'a pas fait parvenir, par le premier courrier, à l'Administration expéditrice, un procès-verbal constatant l'absence ou l'altération soit du paquet entier des valeurs déclarées, soit de la lettre ou de la boîte elle-même.

XII. Les prix dus à chaque Office participant, conformément au premier paragraphe de l'Article III de l'Arrangement, pour le transit territorial ou maritime des lettres avec valeur déclarée, sont calculés dans les conditions fixées par l'Article XXIV du Règlement de Détail et d'Ordre de la Convention Principale.

XIII.—1. Chaque Administration fait établir mensuellement, par chacun de ses bureaux d'échange et pour tous les envois reçus des bureaux d'échange d'un seul et même Office, un état, conforme au modèle (D) annexé au présent Règlement, des sommes inscrites sur chaque feuille d'envoi, soit à son crédit, pour sa part et celle de chacune des Administrations intéressées, s'il y a lieu, dans les taxes de transport (boîtes seulement) et dans les droits d'assurance perçus par l'Office expéditeur; soit à son débit, pour la part revenant aux Offices intermédiaires, en cas de réexpédition ou de mise en rebut, dans les droits postaux et les frais de vérification à recouvrer sur les destinataires ou sur les expéditeurs.

2. Les états (D) sont ensuite récapitulés par les soins de la même Administration dans un compte conforme au modèle (E), également annexé au présent Règlement.

3. Ce compte, accompagné des états partiels, des feuilles d'envoi et, s'il y a lieu, des bulletins de vérification y afférents, est soumis

à l'examen de l'Office correspondant dans le courant du mois qui suit celui auquel il se rapporte.

4. Les comptes mensuels, après avoir été vérifiés et acceptés de part et d'autre, sont résumés dans un compte général annuel par les soins de l'Administration créditrice, sauf autre arrangement à prendre par les Offices intéressés.

5. La liquidation du compte général des valeurs déclarées s'opère en même temps que celle du compte annuel des frais de transit afférents aux correspondances ordinaires; les soldes des deux comptes dont il s'agit sont réduits par balance, toutes les fois qu'ils sont respectivement contraires.

XIV.—1. Les Administrations se communiquent réciproquement, par l'intermédiaire du Bureau International, et trois mois au moins avant la mise à exécution de l'Arrangement, savoir:—

(1.) Le tarif des droits d'assurance applicable dans leur service aux lettres et aux boîtes de valeur déclarée pour chacun des pays contractants, en conformité de l'Article IV de l'Arrangement et de l'Article I du présent Règlement;

(2.) Le cas échéant, l'empreinte du timbre spécial en usage dans leur service pour les valeurs déclarées;

(3.) Le maximum jusqu'à concurrence duquel elles admettent les valeurs déclarées, par application de l'Article I de l'Arrangement.

2. Toute modification apportée ultérieurement à l'égard de l'un ou l'autre des trois points ci-dessus mentionnés doit être notifiée, sans retard, de la même manière.

XV.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un pays de l'Union a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions pour la modification ou l'interprétation du présent Règlement.

2. Toute proposition est soumise au procédé déterminé par l'Article XXXIX du Règlement de Détail et d'Ordre de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir:—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, de la modification du présent Article, ou de l'Article XVI;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des Articles II, III, VI, VII, VIII, IX, XI, et XII;

(3.) La simple majorité absolue, s'il s'agit de la modification des autres Articles ou de l'interprétation des diverses dispositions du présent Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées par une simple notification du Bureau International à toutes les Administrations de l'Union.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XVI. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement. Il aura la même durée que cet Arrangement, à moins qu'il ne soit renouvelé d'un commun accord entre les parties intéressées.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	DR. V. STEPHAN. SACHSE. FRITSCH.
Pour la République Argentine..	CÁRLOS CALVO.
Pour l'Autriche	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie.. ..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	LICHTERVELDE.
Pour le Brésil	LUIZ BETIM PABS LEME.
Pour la Bulgarie	P. M. MATTHEEFF.
Pour la République de Costa- Rica	
Pour le Danemark et les Co- lonies Danoises	LUND.
Pour l'Égypte	Y. SABA.
Pour l'Espagne	FEDERICO BAS.
Pour la France	MONTMARIN. J. DE SELVES. ANSAULT.
Pour les Colonies Françaises ..	G. GABRIÉ.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour la Norvège.. ..	THB. HEYERDAHL.
Pour les Pays-Bas	HOFSTEDE. BARON VAN DER FELTZ.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.

Pour la Roumanie	..	..	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour la Russie	..	..	GÉNÉRAL DE BESACK. A. SKALKOVSKY.
Pour le Salvador	..	..	LOUIS KEHLMANN.
Pour la Serbie	..	..	SVETOZAR J. GVOZDITCH. ET. W. POPOVITCH.
Pour la Suède	..	..	E. VON KRUSENSTJERNA.
Pour la Suisse	..	..	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis	..	..	MONTMARIN.
Pour la Turquie	..	..	E. PETACCI. A. FAHRI.

ARRANGEMENT concernant le Service des Mandats de Poste, conclu entre l'Allemagne, la République Argentine, l'Autriche-Hongrie, la Belgique, le Brésil, la Bulgarie, le Chili, la République de Costa-Rica,* le Danemark et les Colonies Danoises, l'Égypte, la France et les Colonies Françaises, l'Italie, le Japon, la République de Libéria, le Luxembourg, la Norvège, les Pays-Bas et les Colonies Néerlandaises, le Portugal et les Colonies Portugaises, la Roumanie, le Salvador,† le Royaume de Siam, la Suède, la Suisse, la Régence de Tunis, la Turquie,† et l'Uruguay.—Signé à Vienne, le 4 Juillet, 1891.‡*

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessous dénommés, vu l'Article XIX de la Convention principale, § ont, d'un commun accord et sous réserve de ratification, arrêté l'Arrangement suivant :—

ART. I. L'échange des envois de fonds par la voie de la poste et au moyen de mandats, entre ceux des pays contractants dont les Administrations conviennent d'établir ce service, est régi par les dispositions du présent Arrangement.

II.—1. En principe, le montant des mandats doit être versé par les déposants et payé aux bénéficiaires en numéraire ; mais chaque Administration a la faculté de recevoir et d'employer elle-même, à cet effet, tout papier-monnaie ayant cours légal dans son pays, sous réserve de tenir compte, le cas échéant, de la différence de cours.

* Not signed by Chile or Costa Rica.

† Not ratified by Salvador or Turkey.

‡ Adhesions notified by Circulars as follows: Chile, May 30, 1892; Dominican Republic, April 28, 1892; Greece, May 17, 1893; Serbia, September 9, 1895.

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2. Aucun mandat ne peut excéder la somme de 500 fr. effectifs ou une somme approximative dans la monnaie respective de chaque pays.

3. Sauf arrangement contraire entre les Administrations intéressées, le montant de chaque mandat est exprimé dans la monnaie métallique du pays où le paiement doit avoir lieu. A cet effet, l'Administration du pays d'origine détermine elle-même, s'il y a lieu, le taux de conversion de sa monnaie en monnaie métallique du pays de destination.

L'Administration du pays d'origine détermine également, s'il y a lieu, le cours à payer par l'expéditeur, lorsque ce pays et le pays de destination possèdent le même système monétaire.

4. Est réservé à chacun des pays contractants le droit de déclarer transmissible par voie d'endossement, sur son territoire, la propriété des mandats de poste provenant d'un autre de ces pays.

III.—1. La taxe générale à payer par l'expéditeur pour chaque envoi de fonds effectué en vertu de l'Article précédent est fixée, valeur métallique, à 25 centimes par 25 fr. ou fraction de 25 fr., ou à l'équivalent dans la monnaie respective des pays contractants, avec faculté d'arrondir les fractions, le cas échéant.

Sont exempts de toute taxe les mandats d'office relatifs au service des Postes et échangés entre les Administrations Postales.

2. L'Administration qui a délivré des mandats tient compte, à l'Administration qui les a acquittés, d'un droit de $\frac{1}{2}$ pour cent du montant total des mandats payés, abstraction faite des mandats d'Office.

3. Les mandats de poste et les acquits donnés sur ces mandats, de même que les récépissés délivrés aux déposants, ne peuvent être soumis, à la charge des expéditeurs ou des destinataires des fonds, à un droit ou à une taxe quelconque en sus de la taxe perçue en vertu du paragraphe 1^{er} du présent Article, sauf toutefois le droit de factage pour le paiement à domicile, s'il y a lieu.

4. L'expéditeur d'un mandat peut obtenir un avis de paiement de ce mandat, en acquittant d'avance, au profit exclusif de l'Administration du pays d'origine, un droit fixe égal à celui qui est perçu dans ce pays pour les avis de réception des correspondances recommandées.

5. L'expéditeur d'un mandat de poste peut le faire retirer du service ou en faire modifier l'adresse tant que ce mandat n'a pas été livré au destinataire, aux conditions et sous les réserves déterminées pour les correspondances ordinaires par l'Article IX de la Convention principale.

6. L'expéditeur peut également demander la remise des fonds à domicile, par porteur spécial, aussitôt après l'arrivée du mandat, aux conditions fixées par l'Article XIII de la dite Convention.

7. Est toutefois réservée à l'Office du pays de destination la

faculté de faire remettre par exprès, au lieu des fonds, un avis d'arrivée du mandat ou le titre lui-même, lorsque ses règlements intérieurs le comportent.

IV.—1. Les mandats de poste peuvent être transmis par le télégraphe, dans les relations entre les Offices dont les pays sont reliés par un télégraphe d'État ou qui consentent à employer à cet effet la télégraphie privée ; ils sont qualifiés, en ce cas, de mandats télégraphiques.

2. Les mandats télégraphiques peuvent, comme les télégrammes ordinaires et aux mêmes conditions que ces derniers, être soumis aux formalités de l'urgence, de la réponse payée, du collationnement, de l'accusé de réception, de la transmission par la poste ou de la remise par exprès. Ils peuvent, en outre, donner lieu à des demandes d'avis de paiement à délivrer et à expédier par la poste.

3. L'expéditeur d'un mandat télégraphique doit payer—

(a.) La taxe ordinaire des mandats de poste et, si un avis de paiement est demandé, le droit fixe de cet avis ;

(b.) La taxe du télégramme.

4. Les mandats télégraphiques ne sont grevés d'aucuns frais autres que ceux prévus au présent Article, ou que ceux qui peuvent être perçus en conformité des règlements télégraphiques internationaux.

V. Par suite du changement de résidence du bénéficiaire, les mandats ordinaires peuvent être réexpédiés d'un des pays participant à l'Arrangement sur un autre de ces pays. Lorsque le pays de la nouvelle destination a un autre système monétaire que le pays de la destination primitive, la conversion du montant du mandat en monnaie du premier de ces pays est opérée par le bureau réexpéditeur, d'après le taux convenu pour les mandats à destination de ce pays et émanant du pays de la destination primitive. Il n'est perçu aucun supplément de taxe pour la réexpédition, mais le pays de la nouvelle destination touche en tout cas à son profit la quote-part de taxe qui lui serait dévolue si le mandat lui avait été primitivement adressé, même dans le cas où, par suite d'un Arrangement spécial conclu entre le pays d'origine et le pays de la destination primitive, la taxe effectivement perçue serait inférieure à la taxe prévue par l'Article III du présent Arrangement.

VI.—1. Les Administrations des Postes des pays contractants dressent, aux époques fixées par le Règlement ci-après, les comptes sur lesquels sont récapitulées toutes les sommes payées par leurs bureaux respectifs ; et ces comptes, après avoir été débattus et arrêtés contradictoirement, sont soldés, sauf arrangement contraire, en monnaie d'or du pays créancier, par l'Administration qui est reconnue redevable envers une autre, dans le délai fixé par le même Règlement.

2. A cet effet, lorsque les mandats ont été payés dans des monnaies différentes, la créance la plus faible est convertie en même monnaie que la créance la plus forte, en prenant pour base de la conversion le taux moyen du change dans la capitale du pays débiteur, pendant la période à laquelle le compte se rapporte.

3. En cas de non-paiement du solde d'un compte dans les délais fixés, le montant de ce solde est productif d'intérêts, à dater du jour de l'expiration des dits délais, jusqu'au jour où le paiement a lieu. Ces intérêts sont calculés à raison de 5 pour cent l'an et sont portés au débit de l'Administration retardataire sur le compte suivant.

VII.—1. Les sommes converties en mandats de poste sont garanties aux déposants, jusqu'au moment où elles ont été régulièrement payées aux destinataires ou aux mandataires de ceux-ci.

2. Les sommes encaissées par chaque Administration, en échange de mandats de poste dont le montant n'a pas été réclamé par les ayants droit dans les délais fixés par les lois et règlements du pays d'origine, sont définitivement acquises à l'Administration qui a délivré ces mandats.

VIII. Les stipulations du présent Arrangement ne portent pas restriction au droit des Parties Contractantes de maintenir et de conclure des Arrangements spéciaux, ainsi que de maintenir et d'établir des unions plus restreintes en vue de l'amélioration du service des mandats de poste internationaux.

IX. Chaque Administration peut, dans des circonstances extraordinaires qui sont de nature à justifier la mesure, suspendre temporairement le service des mandats internationaux, d'une manière générale ou partielle, sous la condition d'en donner immédiatement avis, au besoin par le télégraphe, à l'Administration ou aux Administrations intéressées.

X. Les pays de l'Union qui n'ont point pris part au présent Arrangement sont admis à y adhérer sur leur demande, et dans la forme prescrite par l'Article XXIV de la Convention principale en ce qui concerne les adhésions à l'Union Postale Universelle.

XI. Les Administrations des Postes des pays contractants désignent, chacune pour ce qui la concerne, les bureaux qui doivent délivrer et payer les mandats à émettre en vertu des Articles précédents. Elles règlent la forme et le mode de transmission des mandats, la forme des comptes désignés à l'Article VI, et toute autre mesure de détail ou d'ordre nécessaire pour assurer l'exécution du présent Arrangement.*

XII.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux

* See Règlement, page 969.

autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des mandats de poste.

2. Toute proposition est soumise au procédé déterminé par le § 2 de l'Article XXVI de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, ou de la modification des dispositions du présent Article et des Articles I, II, III, IV, VI, et XIII ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions autres que celles des Articles précités ;

(3.) La simple majorité absolue s'il s'agit de l'interprétation des dispositions du présent Arrangement, sauf le cas de litige prévu par l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et, dans le troisième cas, par une notification administrative, selon la forme indiquée à l'Article XXVI de la Convention principale.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XIII.—1. Le présent Arrangement entrera en vigueur le 1^{er} Juillet, 1892.

2. Il aura la même durée que la Convention principale, sans préjudice du droit réservé à chaque pays de se retirer de cet Arrangement moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse.

3. Sont abrogées, à partir du jour de la mise à exécution du présent Arrangement, toutes les dispositions convenues antérieurement entre les divers Gouvernements ou Administrations des Parties Contractantes, pour autant qu'elles ne seraient pas conciliables avec les termes du présent Arrangement, le tout sans préjudice des droits réservés par l'Article VIII.

4. Le présent Arrangement sera ratifié aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

En foi de quoi les Plénipotentiaires des pays ci-dessus énumérés ont signé le présent Arrangement à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne DR. v. STEPHAN.
SACHSE.
FRITSCH.

Pour la République Argentine.. CÁRLOS CALVO.

Pour l'Autriche OBENTRAUT.
DR. HOFMANN.
DR. LILIENAU.
HABBERGER.

Pour la Hongrie	P. HEIM. S. SCHRIMPF.
Pour la Belgique	LICHTERVELDE.
Pour le Brésil	LUIZ BETIM PAES LEME.
Pour la Bulgarie	P. M. MATTHEEFF.
Pour le Chili	
Pour la République de Costa- Rica	
Pour le Danemark et les Co- lonies Danoises	LUND.
Pour l'Égypte	Y. SABA.
Pour la France	MONTMARIN. J. DE SELVES. ANSAULT.
Pour les Colonies Françaises ..	G. GABRIÉ.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour le Japon	INDO. FUJITA.
Pour la République de Libéria..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour la Norvège.. ..	THB. HEYERDAHL.
Pour les Pays-Bas	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises.	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour le Royaume de Siam	LUANG SURIYA NUVAIR. H. KEUCHENIUS.
• Pour la Suède	E. von KRUSENSTJERNA.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.
Pour la Turquie	E. PETACCI. A. FAHRI.
Pour l'Uruguay . ..	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.

RÈGLEMENT de Détail et d'Ordre pour l'Exécution de l'Arrangement concernant le Service des Mandats de Poste.—Vienne, le 4 Juillet, 1891.

Les Soussignées, vu l'Article XIX de la Convention principale* et l'Article XI de l'Arrangement concernant l'échange des mandats de poste,† ont, au nom de leurs Administrations respectives, arrêté d'un commun accord les mesures suivantes pour assurer l'exécution du dit Arrangement:—

I. Un récépissé, bulletin de dépôt, ou déclaration de versement des sommes en échange desquelles un mandat de poste international est émis, doit être délivré sans frais au déposant, dans la forme adoptée par chaque Administration.

II.—1. Les mandats de poste internationaux sont établis sur une formule conforme ou analogue au modèle (A) annexé au présent Règlement.

2. Les formules de mandats qui ne sont pas imprimées en langue Française doivent porter une traduction sublinéaire dans cette langue, et les inscriptions manuscrites que leur texte comporte doivent être formulées en chiffres Arabes et en caractères Romains, suivant le cas, sans rature ni surcharge, même approuvées.

3. Il est interdit de consigner sur les mandats d'autres annotations que celles que comporte la texture des formules. Par contre, l'expéditeur a le droit d'ajouter, sur le coupon, des communications quelconques destinées au bénéficiaire du mandat.

III.—1. Les mandats télégraphiques sont rédigés par le bureau de poste qui a reçu le dépôt des fonds, et adressés au bureau de poste qui doit en opérer le payement.

2. Ils peuvent porter une communication particulière de l'expéditeur au destinataire.

3. Les mandats télégraphiques sont rédigés comme suit:—

Indications éventuelles (en toutes lettres ou d'après les abrévia- tions autorisées dans le service télégra- phique)	Urgent (D), Réponse payée (R P), Collationnement (T C), Accusé de réception (C R), Poste recommandée (P R), Express payé (X P), Express.
Mandat	(No. postal d'émission).
Postes	(Nom du bureau de poste de destination). (Avis de payement s'il y a lieu).
Monsieur } Madame } Mademoiselle }	paye { (Nom de l'envoyeur et montant de la somme transmise exprimé en chiffres et en toutes lettres dans la monnaie du pays de destination).
Pour { Monsieur Madame Mademoiselle }	(Désignation exacte du ou de la destinataire, de sa résidence, et, s'il est possible, de son domicile).

Les indications qui précèdent doivent toujours figurer dans les formules de mandats télégraphiques dans l'ordre ci-dessus.

Lorsque les mandats télégraphiques sont émis par des bureaux de poste de localités non dotées d'un service télégraphique, le lieu d'émission de ces mandats doit être indiqué dans les télégrammes immédiatement après le numéro postal d'émission, de la manière suivante : "Mandat de ."

De même, les mandats télégraphiques originaires de localités pourvues de plusieurs bureaux de poste doivent porter la désignation précise du bureau de poste d'origine, lorsque ce bureau n'est pas chargé du service télégraphique.

4. Les divers Offices, pour leurs services respectifs, ont la faculté d'autoriser les bureaux télégraphiques de localités pourvues d'un ou de plusieurs bureaux de poste à recevoir de l'envoyeur et à payer au lieu de destination le montant des mandats télégraphiques.

5. La répétition partielle est obligatoire (répétition de bureau à bureau des noms propres et des nombres).

6. Le bureau de poste expéditeur adresse sous enveloppe, à titre confirmatif et par le plus prochain courrier postal, au bureau de poste destinataire, une copie ou un avis d'émission du mandat télégraphique, conforme ou analogue au modèle (B) annexé au présent Règlement. Cette copie est rattachée, par ce dernier bureau, à l'original acquitté par le bénéficiaire.

IV.—1. Les mandats sont transmis à découvert, ou, sur la demande de l'Office destinataire, dans une enveloppe conforme au modèle (C) annexé au présent Règlement.

2. Les mandats à comprendre dans chaque dépêche sont réunis en un seul paquet, après subdivision, s'il y a lieu, en autant de liasses qu'il y a de pays destinataires.

V.—1. Lorsqu'un mandat est soumis à la réexpédition dont il est fait mention à l'Article V de l'Arrangement et que le pays de la destination primitive et le pays de la nouvelle destination ont des systèmes monétaires différents, le bureau réexpéditeur biffe d'un trait de plume les indications du montant du mandat, y compris l'indication supérieure de la rubrique "Bon pour," de manière, toutefois, à laisser reconnaître les inscriptions primitives. Après avoir réduit la valeur d'émission en monnaie du pays de la nouvelle destination, le dit bureau inscrit le montant résultant de la conversion, en toutes lettres et à un endroit convenable de la formule du mandat, mais autant que possible immédiatement au-dessus de l'indication primitive de ce montant en toutes lettres. La nouvelle inscription portée sur le mandat est signée par l'agent de service. Ce même procédé doit être suivi en cas de réexpéditions ultérieures.

2. Les demandes de réexpédition ou de renvoi sont enregistrées, pour mémoire, par le premier bureau de destination, et, le cas échéant, par les bureaux destinataires ultérieurs. Le bureau qui opère la réexpédition d'un mandat dans les conditions prévues ci-dessus en donne avis au bureau d'émission.

VI. Les dispositions de l'Article XIII de la Convention principale et de l'Article XXX du Règlement de Détail et d'Ordre de la Convention principale sont respectivement applicables, en cas de demande, soit de remise par exprès, soit de retrait ou de changement d'adresse d'un mandat de poste.

Toutefois, la reproduction exacte des notes écrites sur le coupon n'est pas requise pour le fac-similé du mandat.

VII.—1. Les mandats de poste dont le paiement n'a pu être effectué pour l'une des causes suivantes :—

(1.) Indication inexacte, insuffisante, ou douteuse du nom ou domicile des bénéficiaires ;

(2.) Différences ou omissions de noms ou de sommes ;

(3.) Ratures ou surcharges dans les inscriptions ;

(4.) Omissions de timbres, de signatures, ou d'autres indications de service ;

(5.) Indication du montant à payer dans une monnaie autre que celle du pays de destination, ou, le cas échéant, que la monnaie admise à cet effet par les Administrations correspondantes ;

(6.) Emploi de formules non réglementaires ;

(7.) Absence, pour les mandats télégraphiques, de l'accomplissement de l'une ou de plusieurs des formalités prévues par l'Article III du présent Règlement ;

Sont régularisés par les soins de l'Administration qui les a émis.

2. A cet effet, ces mandats sont renvoyés sous recommandation d'office, le plus tôt possible, au bureau d'origine par le bureau de destination. Les deux Administrations Postales en cause doivent être averties de ce renvoi et de la suite donnée.

3. Si le destinataire d'un mandat irrégulier, ordinaire ou télégraphique le désire et offre de payer tous les frais, les irrégularités qui s'opposent au paiement de ce mandat peuvent être régularisées par la voie télégraphique.

4. Les mandats télégraphiques dont le titre confirmatif seul est parvenu, mais dont le télégramme fait défaut, ne doivent pas être payés au simple vu de la première de ces pièces. Avant tout, il y a lieu de réclamer le télégramme.

5. Dans le cas où les télégrammes rectificatifs ont été motivés par une erreur imputable au service, la taxe de ces télégrammes doit être remboursée à qui de droit.

VIII.—1. Les mandats sont valables pendant un délai de deux mois à partir du premier jour du mois qui suit le mois de leur

émission. Ce délai est porté à six mois dans les relations avec les pays hors d'Europe ou de ces pays entre eux, sauf arrangement contraire entre les Offices intéressés.

2. Passé ce terme, ils ne peuvent plus être payés que sur un visa pour date donné par l'Administration qui les a émis et à la requête de l'Administration dont dépend le bureau destinataire.

3. Le visa pour date doit être inscrit sur le titre même, et donne au mandat une nouvelle durée de validité égale à celle prévue au § 1 du présent Article.

4. Les mandats dont le paiement n'a pas été réclamé en temps utile sont renvoyés aussitôt après l'expiration du délai de validité ordinaire par l'Administration qui en est dépositaire à l'Administration du pays d'origine.

IX.—1. Les mandats non payés aux destinataires sont remboursés aux envoyeurs aussitôt que l'Administration du pays d'origine est rentrée en possession de ces mandats.

2. Les mandats égarés, perdus, ou détruits peuvent être remplacés, sur la demande de l'envoyeur ou du destinataire, par des autorisations de paiement que délivre l'Administration du pays d'origine, après avoir constaté, d'accord avec l'Administration du pays de destination, que le mandat n'a été ni payé ni remboursé.

Aucune nouvelle taxe n'est exigée pour les autorisations de paiement.

3. Lorsque le remboursement d'un mandat égaré, perdu, ou détruit est demandé par l'envoyeur, celui-ci doit fournir, avec son récépissé, bulletin de dépôt ou déclaration de versement, une attestation du destinataire portant que le mandat n'a pas été aliéné, qu'il ne lui est pas parvenu, ou qu'il a été adiré ou détruit après réception.

L'Administration du pays d'origine accorde le remboursement après s'être assurée que l'Office de destination n'a pas payé et ne payera pas le mandat.

X.—1. Le paiement des mandats est régi par les dispositions en vigueur dans le service intérieur de l'Office de destination, auquel incombe la responsabilité des paiements sur faux acquit.

2. Pour dégager sa responsabilité à l'égard de tout mandat payé par lui, cet Office doit être en mesure d'établir : (1) que ses règlements comportent toutes les garanties nécessaires pour la constatation de l'identité du destinataire ; (2) que le paiement a eu lieu dans les conditions prescrites par les dits règlements.

XI.—1. Lorsque l'expéditeur d'un mandat ordinaire demande à recevoir avis du paiement de ce mandat, le bureau d'origine appose sur le titre le timbre-poste représentant le droit fixe perçu de ce chef. Il annule ce timbre-poste par l'inscription très apparente des mots, "Avis de paiement."

2. S'il s'agit d'un mandat télégraphique, le timbre-poste représentant la taxe due de ce chef est appliqué sur la copie ou l'avis d'émission.

3. Le bureau payeur adresse, le jour même du paiement, au bureau d'origine, chargé d'en faire la remise au déposant, un avis conforme ou analogue au modèle (D) annexé au présent Règlement.

XII.—1. Chaque Administration dresse, à la fin de chaque mois, pour chacune des autres Administrations, un compte particulier conforme au modèle (E) annexé au présent Règlement, et sur lequel sont récapitulés et, autant que possible, classés par ordre alphabétique des noms des bureaux d'émission, tous les mandats payés par ses propres bureaux, pour le compte de l'Office correspondant pendant le mois précédent.

2. Elle inscrit également sur ce compte le montant du droit qui lui revient, en vertu du § 2 de l'Article III de l'Arrangement, sur les mandats payés par ses bureaux.

3. Le compte particulier, accompagné des mandats payés et quittancés, est transmis sans retard à l'Administration correspondante.

4. A défaut des mandats payés, un compte particulier négatif est adressé à l'Administration correspondante.

XIII.—1. Quinze jours, au plus tard, après la vérification et l'acceptation des comptes réciproques, la balance est faite dans un compte général que dresse l'Administration créditrice (sauf autre arrangement entre les Offices intéressés), en se conformant pour la conversion des monnaies, s'il y a lieu, au § 2 de l'Article VI de l'Arrangement.

2. Le compte général doit être arrêté dans un délai de deux mois après l'expiration du mois auquel il se rapporte. Ce délai est porté à quatre mois dans les relations avec les pays situés hors d'Europe ou de ces pays entre eux.

3. Sauf arrangement contraire, la différence formant le solde du compte est payée au moyen de traites payables à vue ou à courte échéance sur la capitale ou sur une place commerciale du pays créateur, en monnaie métallique de ce pays, et sans aucune perte pour lui, les frais du paiement restant à la charge de l'Office débiteur.

Ces traites peuvent être exceptionnellement tirées sur un autre pays, à la condition que les frais d'escompte soient à la charge de l'Office débiteur.

4. Ce paiement doit être effectué, au plus tard, quinze jours après que le compte général a été contradictoirement arrêté. Toute Administration qui se trouve à découvert, vis-à-vis d'une autre Administration, d'une somme supérieure à 50,000 fr., a le droit de

réclamer, même avant la clôture du compte, un acompte ou solda provisoire jusqu'à concurrence des trois quarts du montant de sa créance. Le cas échéant, il doit être satisfait à sa demande dans le délai de huit jours.

XIV.—1. Les Administrations des pays contractants doivent se communiquer réciproquement, par l'intermédiaire du Bureau International de l'Union Postale Universelle, et trois mois au moins avant la mise à exécution de l'Arrangement, savoir:—

(1.) Le tarif et, s'il y a lieu, le taux de conversion monétaire ou le cours qu'elles appliquent en exécution de l'Article II de l'Arrangement;

(2.) La nomenclature de ceux de leurs bureaux respectifs qu'elles autorisent à émettre et à payer des mandats internationaux ou l'avis que tous leurs bureaux participent à ce service;

(3.) Un exemplaire du mandat qu'elles emploient;

(4.) L'orthographe des noms de nombre, de 1 à 500, qui peuvent être écrits en toutes lettres, dans leur langue respective, sur les mandats émis par elles;

(5.) La durée des délais après lesquels leur législation respective attribue définitivement à l'État le montant des mandats dont le payement n'a pas été réclamé par les ayants droit;

(6.) Le cas échéant, l'avis de leur participation à l'échange des mandats télégraphiques;

(7.) La liste des pays avec lesquels elles échangent des mandats de poste.

2. Toute modification apportée ultérieurement, à l'égard de l'un ou l'autre des sept points ci-dessus mentionnés, doit être notifiée sans retard de la même manière.

XV.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant les dispositions du présent Règlement.

2. Toute proposition est soumise au procédé déterminé par l'Article XXXIX du Règlement de Détail et d'Ordre de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir:—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles II, X, et XVI du présent Règlement;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions des Articles I, III, IV, V, VI, IX, et XI;

(3.) La simple majorité absolue, s'il s'agit de la modification des

autres Articles ou de l'interprétation des diverses dispositions du présent Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées par une simple notification du Bureau International à toutes les Administrations de l'Union.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XVI.—1. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement.

2. Il aura la même durée que cet Arrangement, à moins qu'il ne soit renouvelé, d'un commun accord, entre les parties intéressées.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	..	..	DR. V. STEPHAN. SACHSE. FRITSCH.
Pour la République Argentine	.		CÁRLOS CALVO
Pour l'Autriche	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie	..	..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour le Brésil	..	..	LUIZ BETIM PAES LEME.
Pour la Bulgarie	..	..	P. M. MATTHEEFF.
Pour le Chili	..	..	..
Pour la République de Costa- Rica	..	..	..
Pour le Danemark et les Co- lonies Danoises	..	..	LUND. Y. SABA.
Pour l'Égypte	..	..	MONTMARIN. J. DE SELVES. ANSAULT.
Pour la France	..	..	G. GABRIÉ. EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour les Colonies Françaises	..	..	INDO. FUJITA.
Pour l'Italie	..	..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Japon	..	..	MONGENAST.
Pour la République de Libéria	..	..	THB. HEYERDAHL.
Pour le Luxembourg	..	..
Pour la Norvège	..	..

Pour les Pays-Bas	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour le Royaume de Siam ..	LUANG SUBIYA NUVATR. H. KEUCHENIUS.
Pour la Suède	E. VON KRUSENSTJERNA.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.
Pour la Turquie.. ..	E. PETACCI. A. FAHRI.
Pour l'Uruguay	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.

CONVENTION concernant l'Échange des Colis Postaux, conclue entre l'Allemagne, la République Argentine, l'Autriche-Hongrie, la Belgique, le Brésil, la Bulgarie, le Chili, la République de Colombie,† la République de Costa-Rica,* le Danemark et les Colonies Danoises, l'Égypte, l'Espagne, la France et les Colonies Françaises, la Grèce, l'Italie, la République de Libéria, le Luxembourg, le Monténégro, la Norvège, le Paraguay,* les Pays-Bas et les Colonies Néerlandaises, le Portugal et les Colonies Portugaises, la Roumanie, le Salvador,‡ la Serbie, le Royaume de Siam, la Suède, la Suisse, la Régence de Tunis, la Turquie,† l'Uruguay, et les États-Unis de Venezuela.—Signée à Vienne, le 4 Juillet, 1891.‡*

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus énumérés, vu l'Article XIX de la Convention principale,§ ont, d'un commun accord et sous réserve de ratification, arrêté la Convention suivante :—

ART. I.—1. Il peut être expédié, sous la dénomination de colis

* Not signed by Chile, Costa Rica, or Paraguay.

† Not ratified by Colombia, Salvador, or Turkey.

‡ Adhesion of Chile notified by Circular of May 30, 1892; of Dominican Republic, April 28, 1892.

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postaux, de l'un des pays mentionnés ci-dessus pour un autre de ces pays, des colis avec ou sans valeur déclarée jusqu'à concurrence de 5 kilog. Ces colis peuvent être grevés de remboursement.

Par exception, il est loisible à chaque pays :—

(a.) De limiter à 3 kilog. le poids des colis à admettre dans son service ;

(b.) De ne pas se charger des colis avec déclaration de valeur, des colis grevés de remboursement, ni des colis encombrants.

Chaque pays fixe, en ce qui le concerne, la limite supérieure de la déclaration de valeur et du remboursement, laquelle ne peut, en aucun cas, descendre au-dessous de 500 fr.

Dans les relations entre deux ou plusieurs pays qui ont adopté des maxima différents, c'est la limite la plus basse qui doit être réciproquement observée.

2. Le Règlement d'Exécution détermine les autres conditions auxquelles les colis sont admis au transport, et définit notamment les colis qui doivent être considérés comme encombrants.

II.—1. La liberté du transit est garantie sur le territoire de chacun des pays adhérents, et la responsabilité des Offices qui participent au transport est engagée dans les limites déterminées par l'Article XIII ci-après.

2. A moins d'arrangement contraire entre les Offices intéressés, la transmission des colis postaux échangés entre pays non limitrophes s'opère à découvert.

III.—1. L'Administration du pays d'origine est redevable, envers chacune des Administrations participant au transit territorial, d'un droit de 50 centimes par colis.

2. En outre, s'il y a un ou plusieurs transports maritimes, l'Administration du pays d'origine doit à chacun des Offices dont les services participent au transport maritime un droit dont le taux est fixé, par colis, savoir :—

A 25 centimes pour tout parcours n'excédant pas 500 milles marins ;

A 50 centimes, pour tout parcours supérieur à 500 milles marins, mais n'excédant pas 1,000 milles marins ;

A 1 fr. pour tout parcours supérieur à 1,000 milles marins, mais n'excédant pas 3,000 milles marins ;

A 2 fr., pour tout parcours supérieur à 3,000 milles marins, mais n'excédant pas 6,000 milles marins ;

A 3 fr. pour tout parcours supérieur à 6,000 milles marins.

Ces parcours sont calculés, le cas échéant, d'après la distance moyenne entre les ports respectifs des deux pays correspondants.

3. Pour les colis encombrants, les bonifications fixées par les paragraphes 1 et 2 précédents sont augmentées de 50 pour cent.

4. Indépendamment de ces frais de transit, l'Administration du

pays d'origine est redevable, à titre de droit d'assurance pour les colis avec valeur déclarée, envers chacune des Administrations participant au transit territorial ou maritime avec responsabilité, d'un droit proportionnel égal à celui perçu pour les lettres avec valeur déclarée.

IV. L'affranchissement des colis postaux est obligatoire.

V.—1. La taxe des colis postaux se compose d'un droit comprenant, pour chaque colis, autant de fois 50 centimes, ou l'équivalent dans la monnaie respective de chaque pays, qu'il y a d'Offices participant au transport territorial, avec addition, s'il y a lieu, du droit maritime prévu par le § 2 de l'Article III précédent et des taxes et droits mentionnés dans les paragraphes ci-après. Les équivalents sont fixés par le Règlement d'Exécution.

2. Les colis encombrants sont soumis à une taxe additionnelle de 50 pour cent, qui est arrondie, s'il y a lieu, par 5 centimes.

3. Pour les colis avec valeur déclarée, il est ajouté un droit d'assurance égal à celui qui est perçu pour les lettres avec valeur déclarée.

4. Il est perçu, sur l'expéditeur d'un colis grevé de remboursement, une taxe spéciale qui ne peut pas dépasser 20 centimes par fraction indivisible de 20 fr. du montant du remboursement.

L'Office d'origine bonifie à l'Office de destination un $\frac{1}{4}$ pour cent du montant de chaque remboursement, en forçant les fractions de demi-décime (5 centimes) au demi-décime entier. La quote-part de l'Office destinataire ne doit jamais être inférieure à 10 centimes par remboursement.

5. Comme mesure de transition, chacun des pays contractants a la faculté d'appliquer aux colis postaux provenant ou à destination de ses bureaux une surtaxe de 25 centimes par colis.

Exceptionnellement, cette surtaxe peut être élevée à 75 centimes au maximum pour la République Argentine, le Brésil, le Chili, la Colombie, les Colonies Néerlandaises, le Paraguay, la Perse, Salvador, Siam, la Suède, la Turquie d'Asie, l'Uruguay, et le Venezuela.

6. Le transport entre la France continentale, d'une part, l'Algérie et la Corse, de l'autre, donne également lieu à une surtaxe de 25 centimes par colis.

7. L'envoyeur d'un colis postal peut obtenir un avis de réception de cet objet, en payant d'avance un droit fixe de 25 centimes au maximum. Ce droit est acquis en entier à l'Administration du pays d'origine.

VI. L'Office expéditeur bonifie pour chaque colis—

(a.) A l'Office destinataire, 50 centimes, avec addition, s'il y a lieu, des surtaxes prévues aux paragraphes 2, 5, et 6 de l'Article V précédent, de la quote-part du droit de remboursement fixée au

paragraphe 4 de cet Article et d'un droit de 5 centimes pour chaque somme de 800 fr. ou fraction de 800 fr. de valeur déclarée ;

(b.) Éventuellement, à chaque Office intermédiaire, les droits fixés par l'Article III.

VII. Il est loisible au pays de destination de percevoir, pour le factage et pour l'accomplissement des formalités en douane, un droit dont le montant total ne peut pas excéder 25 centimes par colis. Sauf arrangement contraire entre les Offices intéressés, cette taxe est perçue du destinataire au moment de la livraison du colis.

VIII.—1. Les colis sont, à la demande des expéditeurs, remis à domicile par un porteur spécial immédiatement après leur arrivée, dans le pays de l'Union dont les Administrations conviennent de se charger de ce service dans leurs relations réciproques.

Ces envois, qui sont qualifiés "express," sont soumis à une taxe spéciale; cette taxe est fixée à 50 centimes et doit être entièrement acquitté d'avance par l'expéditeur, en sus du port ordinaire, que le colis puisse, ou non, être remis au destinataire ou seulement signalé par express dans le pays de destination. Elle fait partie des bonifications dévolues à ce pays.

2. Lorsque le colis est destiné à une localité dépourvue de bureau de poste, l'Office destinataire peut percevoir, pour la remise du colis ou pour l'avis invitant le destinataire à venir le retirer, une taxe supplémentaire pouvant s'élever jusqu'à concurrence du prix fixé pour la remise par express dans son service intérieur, déduction faite de la taxe fixe payée par l'expéditeur ou de son équivalent dans la monnaie du pays qui perçoit cette taxe supplémentaire.

3. La remise ou l'envoi d'un avis d'invitation au destinataire n'est essayé qu'une seule fois. Après un essai infructueux, le colis cesse d'être considéré comme express et sa remise s'effectue dans les conditions requises pour les colis ordinaires.

4. Si un colis de l'espèce est, par suite de changement de domicile du destinataire, réexpédié à un autre pays sans que la remise par express ait été tentée, la taxe fixe payée par l'expéditeur est bonifiée au nouveau pays de destination, si celui-ci a consenti à se charger de la remise par express; dans le cas contraire, cette taxe reste acquise à l'Office du pays de la première destination, de même qu'en ce qui concerne les colis tombés en rebut.

IX.—1. Les colis auxquels s'applique la présente Convention ne peuvent être frappés d'aucun droit postal autre que ceux prévus par les Articles III, V, et VII précédents et par l'Article XI ci-après.

2. Les droits de douane doivent être acquittés par les destinataires des colis. Toutefois, dans les relations entre Offices qui se sont mis d'accord à cet égard, les expéditeurs peuvent prendre à

leur charge les droits dont il s'agit, moyennant déclaration préalable au bureau de départ. Dans ce cas ils doivent payer successivement, sur la demande qu'en fera le bureau de destination, les sommes indiquées par ce dernier.

X.—1. L'expéditeur d'un colis postal peut le faire retirer du service ou en faire modifier l'adresse aux conditions et sous les réserves déterminées pour les correspondances par l'Article IX de la Convention principale, avec cette addition que, si l'expéditeur demande le renvoi ou la réexpédition d'un colis, il est tenu à garantir d'avance le paiement du port dû pour la nouvelle transmission.

2. Chaque Administration est autorisée à restreindre le droit de modification d'adresse aux colis dont la déclaration de valeur ne dépasse pas 500 fr.

XI.—1. La réexpédition d'un pays sur un autre de colis postaux, par suite de changement de résidence des destinataires, ainsi que le renvoi des colis postaux tombés en rebut, donne lieu à la perception supplémentaire des taxes fixées par les §§ 1, 2, 3, 5, et 6 de l'Article V, à la charge des destinataires ou, le cas échéant, des expéditeurs, sans préjudice du remboursement des droits de douane ou autres frais spéciaux (frais de magasinage, frais de formalités en douane, &c.).

2. En cas de réexpédition d'un colis grevé de remboursement, la quote-part du droit de remboursement, à bonifier par l'Office d'origine à l'Office de la première destination, doit être attribuée par le dit Office à celui de la destination définitive.

XII.—1. Il est interdit d'expédier par la voie de la poste des colis contenant, soit des lettres ou des notes ayant le caractère de correspondance, soit des objets dont l'admission n'est pas autorisée par les Lois ou Règlements de Douane ou autres. Il est également interdit d'expédier des espèces monnayées, des matières d'or et d'argent et d'autres objets précieux, dans les colis sans valeur déclarée à destination des pays qui admettent la déclaration de valeur. Toutefois, il est permis d'insérer dans l'envoi la facture ouverte réduite aux énonciations constitutives de la facture.

2. Dans le cas où un colis tombant sous l'une de ces prohibitions est livré par l'une des Administrations de l'Union à une autre Administration de l'Union, celle-ci procède de la manière et dans les formes prévues par sa législation et par ses règlements intérieurs.

XIII.—1. Sauf le cas de force majeure, lorsqu'un colis postal a été perdu, spolié ou avarié, l'expéditeur et, à défaut ou sur la demande de celui-ci, le destinataire a droit à une indemnité correspondante au montant réel de la perte ou de l'avarie, sans toutefois que cette indemnité puisse dépasser, pour les colis ordinaires, 15 fr.

ou 25 fr. suivant que leur poids n'excède pas ou excède 3 kilog., et pour les colis avec valeur déclarée, le montant de cette valeur.

L'expéditeur d'un colis perdu a, en outre, droit à la restitution des frais d'expédition.

2. Les pays disposés à se charger des risques pouvant dériver du cas de force majeure sont autorisés à prélever de ce chef, sur les colis avec valeur déclarée, une surtaxe dans les conditions déterminées par l'Article XI, § 2, de l'Arrangement concernant l'échange des lettres et boîtes de valeur déclarée.

3. L'obligation de payer l'indemnité incombe à l'Administration dont relève le bureau expéditeur. Est réservé à cette Administration le recours contre l'Administration responsable, c'est-à-dire, contre l'Administration sur le territoire ou dans le service de laquelle la perte, spoliation, ou avarie a eu lieu.

Dans le cas où l'Office responsable aurait notifié à l'Office expéditeur de ne point effectuer le paiement, il devrait rembourser à ce dernier Office les frais qui seraient la conséquence du non-paiement.

4. Jusqu'à preuve du contraire, la responsabilité incombe à l'Administration qui, ayant reçu le colis sans faire d'observation, ne peut établir ni la délivrance au destinataire ni, s'il y a lieu, la transmission régulière à l'Administration suivante.

5. Le paiement de l'indemnité par l'Office expéditeur doit avoir lieu le plus tôt possible et, au plus tard, dans le délai d'un an à partir du jour de la réclamation. L'Office responsable est tenu de rembourser sans retard, à l'Office expéditeur, le montant de l'indemnité payée par celui-ci.

6. Il est entendu que la réclamation n'est admise que dans le délai d'un an à partir du dépôt du colis à la poste ; passé ce terme, le réclamant n'a droit à aucune indemnité.

7. Si la perte ou l'avarie a eu lieu en cours de transport entre les bureaux d'échange de deux pays limitrophes, sans qu'il soit possible d'établir sur lequel des deux territoires le fait s'est accompli, les deux Administrations en cause supportent le dommage par moitié.

8. Les Administrations cessent d'être responsables des colis postaux dont les ayants droit ont pris livraison.

XIV. Toute déclaration frauduleuse de valeur supérieure à la valeur réelle du contenu d'un colis est interdite. En cas de déclaration frauduleuse de cette nature, l'expéditeur perd tout droit à une indemnité, sans préjudice des poursuites judiciaires que peut comporter la législation du pays d'origine.

XV. Chaque Administration peut, dans des circonstances extraordinaires qui sont de nature à justifier la mesure, suspendre temporairement le service des colis postaux d'une manière générale

ou partielle, à la condition d'en donner immédiatement avis, au besoin par le télégraphe, à l'Administration ou aux Administrations intéressées.

XVI. La législation intérieure de chacun des pays contractants demeure applicable en tout ce qui n'est pas prévu par les stipulations contenues dans la présente Convention.

XVII.—1. Les stipulations de la présente Convention ne portent pas restriction au droit des Parties Contractantes de maintenir et de conclure des Conventions spéciales, ainsi que de maintenir et d'établir des Unions plus restreintes, en vue de l'amélioration du service des colis postaux.

2. Toutefois les Offices des pays participant à la présente Convention, qui entretiennent un échange de colis postaux avec des pays non contractants, admettent tous les autres Offices participants à profiter de ces relations pour l'échange des colis postaux avec ces derniers pays.

XVIII.—1. Les pays de l'Union Postale Universelle qui n'ont point pris part à la présente Convention sont admis à y adhérer sur leur demande et dans la forme prescrite par l'Article XXIV de la Convention principale, en ce qui concerne les adhésions à l'Union Postale Universelle.

2. Toutefois, si le pays qui désire adhérer à la présente Convention réclame la faculté de percevoir une surtaxe supérieure à 25 centimes par colis, le Gouvernement de la Confédération Suisse soumet la demande d'adhésion à tous les pays contractants. Cette demande est considérée comme admise si, dans un délai de six mois, aucune objection n'a été présentée.

XIX. Les Administrations des Postes des pays contractants désignent les bureaux ou localités qu'elles admettent à l'échange international des colis postaux; elles règlent le mode de transmission de ces colis et arrêtent toutes les autres mesures de détail et d'ordre nécessaires pour assurer l'exécution de la présente Convention.*

XX. La présente Convention est soumise aux conditions de revision déterminées par l'Article XXV de la Convention principale.

XXI.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des colis postaux.

2. Toute proposition est soumise au procédé déterminé au § 2 de l'Article XXVI de la Convention principale.

* See Règlement, page 967.

3. Pour devenir exécutoires, ces propositions doivent réunir, savoir :—

(a.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, de la modification du présent Article ou des dispositions des Articles I, II, III, IV, V, VI, VI, VIII, IX, X, XII, XIII, XIV, XV, XX, et XXII de la présente Convention ;

(b.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions de la présente Convention autres que celles des Articles précités et du présent Article ;

(c.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions de la présente Convention, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et dans le troisième cas par une notification administrative, selon la forme indiquée à l'Article XXVI de la Convention principale.

Toute modification ou résolution n'est exécutoire qu'au deux mois au moins après sa notification.

XXII.—1. La présente Convention sera mise à exécution le 1^{er} Juillet, 1892.

2. Elle aura la même durée que la Convention principale, sans préjudice du droit laissé à chaque Partie Contractante de se retirer de cette Convention moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse.

3. Sont abrogées, à partir du jour de la mise à exécution de la présente Convention, toutes les dispositions convenues antérieurement entre les divers pays contractants ou entre leurs Administrations, pour autant qu'elles ne seraient pas conciliables avec les termes de la présente Convention, et sans préjudice des droits réservés par les Articles XVI et XVII précédents.

4. La présente Convention sera ratifiée aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

En foi de quoi les Plénipotentiaires des pays ci-dessus énumérés ont signé la présente Convention à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	DR. v. STEPHAN.
	SACHSE.
	FRITSCH.
Pour la République Argentine..	CÁRLOS CALVO.
Pour l'Autriche	OBENTRAUT.
	DR. HOFMANN.
	DR. LILIENAU.
	HABBERGER.
Pour la Hongrie.. ..	P. HEIM.
	S. SCHRIMPF.

Pour la Belgique	LICHTERVELDE.
Pour le Brésil	LUIZ BETIM PAES LEME.
Pour la Bulgarie	P. M. MATTHEEFF.
Pour le Chili	
Pour la République de Colombie	G. MICHELSEN.
Pour la République de Costa- Rica	
Pour le Danemark et les Co- lonies Danoises	LUND.
Pour l'Égypte	Y. SABA.
Pour l'Espagne	FEDERICO BAS.
Pour la France	MONTMARIN. J. DE SELVES. ANSAULT.
Pour les Colonies Françaises ..	G. GARRIÉ.
Pour la Grèce	J. GEORGANTAS.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour le Monténégro	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Norvège.. ..	THB. HEYERDAHL.
Pour le Paraguay	
Pour les Pays-Bas	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour la Serbie	SVETOZAR J. GVOZDITCH. ET. W. POPOVITCH.
Pour le Royaume de Siam ..	LUANG SURIYA NUVAE. H. KEUCHENIUS.
Pour la Suède	E. VON KRUSENSTJERNA.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.

Pour la Turquie ..	..	..	E. PETACCI. A. FAHRI.
Pour l'Uruguay ..	..	..	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.
Pour les États-Unis de Venc- zuela ..	..	..	CARLOS MATZENAUER.

PROTOCOLE FINAL.

Au moment de procéder à la signature de la Convention conclue à la date de ce jour, relativement à l'échange des colis postaux, les Plénipotentiaires soussignés sont convenus de ce qui suit :—

Tout pays où la poste ne se charge pas actuellement du transport des petits colis et qui adhère à la Convention susmentionnée aura la faculté d'en faire exécuter les clauses par les entreprises de chemins de fer et de navigation. Il pourra en même temps limiter ce service aux colis provenant ou à destination de localités desservies par ces entreprises.

L'Administration Postale de ce pays devra s'entendre avec les entreprises de chemins de fer et de navigation pour assurer la complète exécution, par ces dernières, de toutes les clauses de la Convention, spécialement pour organiser le service d'échange à la frontière.

Elle leur servira d'intermédiaire pour toutes leurs relations avec les Administrations Postales des autres pays contractants et avec le Bureau International.

En foi de quoi les Plénipotentiaires ci-dessous ont dressé le présent Protocole Final, qui aura la même force et la même valeur que si les dispositions qu'il contient étaient insérées dans la Convention, et ils l'ont signé sur un exemplaire qui restera déposé aux archives du Gouvernement Autrichien, et dont une copie sera remise à chaque partie.

Vienne, le 4 Juillet, 1891.

Pour l'Allemagne ..	..	..	DR. V. STEPHAN. SACHSE. FRITSCH.
Pour la République Argentine..			CÁRLOS CALVO.
Pour l'Autriche ..	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie.,	..	..	P. HEIM. S. SCHRIMPF.

II.—1. En exécution de l'Article V, paragraphe 1, de la Convention concernant les colis postaux, les Administrations des pays contractants qui n'ont pas le franc pour unité monétaire perçoivent leurs taxes d'après les équivalents ci-dessous :—

Pays.	50 centimes.	25 centimes.
Allemagne	40 pfennig	20 pfennig.
Protectorats Allemands—		
Afrique Orientale—		
Caméroun	40 pfennig	20 pfennig.
Nouvelle-Guinée		
Togo		
République Argentine	16 centavos	8 centavos.
Autriche-Hongrie	25 kreuzer	13 kreuzer.
Bésil	200 reis	100 reis.
Chili	10 centavos	5 centavos.
Colombie	10 centavos	5 centavos.
Danemark	36 öre	18 öre.
Antilles Danoises	10 cents	5 cents.
Égypte	2 piastres	1 piastre.
Libéria	10 cents	5 cents.
Monténégro	20 soldi	10 soldi.
Norvège	36 öre	18 öre.
Pays-Bas	25 cents	12½ cents.
Colonies Néerlandaises	25 cents	12½ cents.
Paraguay	10 centavos	5 centavos.
Portugal	100 reis	50 reis.
Salvador	10 centavos de peso	5 centavos de peso.
Siam	15 atts	7½ atts.
Suède	36 öre	18 öre.
Turquie	2 piastres (80 paras)	1 piastre (40 paras).
Uruguay	10 centesimos	5 centesimos.

2. En cas de changement du système monétaire dans l'un des pays susmentionnés, l'Administration de ce pays doit s'entendre avec l'Administration des Postes Suisses pour modifier les équivalents ci-dessus ; il appartient à cette dernière Administration de faire notifier la modification à tous les autres Offices de l'Union par l'intermédiaire du Bureau International.

3. Toute Administration a la faculté de recourir, si elle le juge nécessaire, à l'entente prévue au paragraphe précédent en cas de modification importante dans la valeur de sa monnaie.

III.—1. Sont considérés comme encombrants :—

(a.) Les colis dépassant 1 millim. 50 centim. dans un sens quelconque ;

(b.) Les colis qui, par leur forme, ne se prêtent pas facilement au chargement avec d'autres colis, qui sont volumineux, ou qui demandent des précautions spéciales, tels que : plantes et arbustes en paniers, cages vides ou renfermant des animaux vivants, boîtes à cigares vides en fardeaux, cartons et boîtes à chapeaux en bois,

mobilier, vannerie, jardinières, voitures d'enfants, rouets, vélocipèdes, &c.

2. Est réservée aux Administrations intéressées la faculté de limiter à 60 centim. le maximum de dimension dans un sens quelconque des colis postaux échangés avec les pays qui n'admettent pas les colis encombrants. Est réservée, en outre, aux Offices qui assurent des transports par mer la faculté de limiter à 20 décim. cubes le volume des colis destinés à être transmis par leurs services maritimes.

3. En ce qui concerne le calcul exact du volume, du poids, ou de la dimension des colis postaux, la manière de voir du bureau expéditeur doit être considérée comme prévalant, sauf erreur évidente.

IV. Sont exclus du transport les colis contenant des matières explosibles ou inflammables, et, en général, les articles dangereux.

Est réservée aux Administrations intéressées la faculté de s'entendre sur le transport des capsules et des cartouches métalliques chargées pour les armes à feu portatives et des éléments de fusées d'artillerie inexplosibles.

Ces objets doivent être solidement emballés à l'intérieur et à l'extérieur dans des caisses ou des barils, et être déclarés tant sur le bulletin d'expédition que sur l'envoi même.

V.—1. Pour être admis au transport, tout colis doit—

(1.) Porter l'adresse exacte du destinataire ; les adresses au crayon ne sont pas admises. Lorsqu'il s'agit de colis contenant des espèces monnayées, des matières d'or ou d'argent, ou d'autres objets précieux, cette adresse doit être écrite sur l'emballage même du colis ;

(2.) Être emballé d'une manière qui répond à la durée du transport et qui préserve suffisamment le contenu. L'emballage doit être tel qu'il soit impossible de porter atteinte au contenu sans laisser une trace apparente de violation ;

(3.) Être scellé par un cachet à la cire, par un plomb, ou par un autre moyen, avec empreinte ou marque spéciale de l'expéditeur ;

(4.) En cas de déclaration de valeur, porter cette déclaration sur l'adresse en francs et centimes, ou dans la monnaie du pays d'origine, sans rature ni surcharge, même approuvées. Lorsque la déclaration est formulée en une monnaie autre que la monnaie de franc, l'expéditeur ou l'Office du pays d'origine est tenu d'en opérer la réduction en cette dernière monnaie, au pair, en indiquant, par de nouveaux chiffres placés à côté ou au-dessous des chiffres représentatifs du montant de la déclaration, l'équivalent de celle-ci en francs et centimes.

2. Les liquides et les corps gras facilement liquéfiables sont expédiés dans un double récipient. Entre le premier (bouteille,

flacon, pot, boîte, &c.) et le second (boîte en métal ou en bois résistant) est ménagé, autant que possible, un espace qui doit être rempli de sciure, de son, ou de tout autre matière absorbante. Cet emballage se recommande particulièrement pour les envois à destination de pays d'outre-mer.

VI.—1. Chaque colis doit être accompagné d'un bulletin d'expédition et de déclarations en douane conformes ou analogues aux modèles (B) et (C) ci-joints. Les Administrations se renseignent réciproquement sur le nombre de déclarations en douane à fournir pour chaque destination.

L'expéditeur peut ajouter sur le coupon du bulletin d'expédition des communications relatives à l'envoi, à la condition, toutefois, que la législation du pays d'origine ou de destination n'y soit pas contraire.

2. Un seul bulletin d'expédition et, si les Lois Douanières ne s'y opposent pas, une seule déclaration en douane peuvent servir à plusieurs colis, jusqu'au nombre de trois, émanant du même expéditeur et destinés à la même personne, à condition qu'aucun de ces colis ne soit grevé de remboursement et que les colis avec déclaration de valeur ne soient pas réunis à des colis sans valeur déclarée.

3. Les formules de bulletins d'expédition qui ne sont pas imprimées en langue Française doivent porter une traduction sublinéaire dans cette langue.

4. Les bulletins d'expédition accompagnant les colis avec valeur déclarée doivent porter, pour chaque colis, l'empreinte du cachet qui a servi à fermer l'envoi, ainsi que l'indication de la valeur déclarée d'après les règles mentionnées sous le chiffre 4 de l'Article V du présent Règlement.

Le poids exact en kilogrammes et grammes de chaque colis avec valeur déclarée doit être inscrit, par l'Office d'origine, tant sur l'adresse du colis que sur le bulletin d'expédition à la place à ce réservée dans cette formule.

5. Les Administrations Contractantes déclinent toute responsabilité quant à l'exactitude des déclarations en douane.

VII.—1. Chaque colis, ainsi que le bulletin d'expédition qui s'y rapporte, doit être revêtu d'une étiquette conforme ou analogue au modèle (D) ci-annexé, et indiquant le numéro de l'enregistrement et le nom du bureau de dépôt.

2. Le bulletin d'expédition est, en outre, frappé par le bureau d'origine, du côté de la suscription, du timbre indiquant le lieu et la date du dépôt.

3. Chaque colis avec valeur déclarée ou remboursement doit porter une étiquette rouge avec l'indication "Valeur déclarée" ou "Remboursement" en caractères Latins.

4. Les colis à remettre par exprès sont, de même que leur bulletin d'expédition, frappés d'un timbre ou revêtus d'une étiquette portant en gros caractères le mot "Exprès."

5. Lorsque les colis contiennent des espèces monnayées, des matières d'or ou d'argent, ou d'autres objets précieux, les étiquettes prescrites par les §§ 1, 3, et 4 précédents doivent être espacées, afin qu'elles ne puissent servir à cacher des lésions de l'emballage. Elles ne doivent pas non plus être repliées sur les deux faces de l'emballage de manière à couvrir la bordure.

VIII.—1. Les colis à remettre aux destinataires francs de droits doivent porter, sur l'adresse, ainsi que sur les bulletins d'expédition, l'indication "à remettre franc de droits."

2. Les bureaux d'expédition perçoivent des envoyeurs des arrhes suffisantes; ils joignent aux documents de route un bulletin d'affranchissement du modèle conforme ou analogue au modèle (E) ci-annexé. Après la livraison de l'envoi, le bureau destinataire complète le bulletin d'affranchissement par le détail des frais dus et se crédite de son avance sur le bureau d'expédition en suivant la marche tracée par l'Article XIV du présent Règlement pour les colis réexpédiés; le bulletin d'affranchissement doit être annexé à la feuille de reprise créée par l'Office destinataire et, s'il y a lieu, par chacun des Offices intermédiaires.

IX.—1. L'échange des colis postaux entre pays limitrophes ou reliés entre eux au moyen d'un service maritime direct est effectué par les bureaux désignés par les Offices intéressés.

2. Dans les rapports entre pays séparés par un ou plusieurs territoires intermédiaires, les colis postaux doivent suivre les voies dont les Offices intéressés sont convenus; ils sont livrés à découvert au premier Office intermédiaire, à moins que les Offices intéressés ne se soient entendus pour établir des échanges en sacs, paniers, ou compartiments clos avec feuilles de route directes.

X.—1. Les colis postaux sont inscrits par le bureau d'échange expéditeur sur une feuille de route conforme au modèle (F) annexé au présent Règlement, avec tous les détails que cette formule comporte. Les bulletins d'expédition et des déclarations en douane, ainsi que les avis de réception, sont attachés à la feuille de route.

2. Le montant des remboursements n'est indiqué que pour mémoire sur la feuille de route. Le décompte des remboursements est effectué directement entre les Offices de départ et d'arrivée.

XI. Quand un colis postal est l'objet d'une demande d'avis de réception, le bureau d'origine inscrit à la main sur ce colis, d'une manière très apparente, la mention "Avis de Réception," ou y appose l'empreinte d'un timbre portant "A. R."

Les avis de réception sont établis par les bureaux de destination, qui les transmettent, soit directement, soit par l'intermédiaire des

bureaux d'échange, aux bureaux d'origine, qui les font parvenir aux destinataires.

XII. A la réception d'une feuille de route, le bureau d'échange destinataire procède à la vérification des colis postaux et des divers documents qui y sont inscrits, et, s'il y a lieu, opère la constatation des manquants ou autres irrégularités au moyen d'une formule conforme au modèle (G) annexé au présent Règlement et en se conformant aux règles tracées, pour les envois avec valeur déclarée, par l'Article IX du Règlement d'exécution de l'Arrangement concernant les valeurs déclarées.

Les différences de peu d'importance en ce qui concerne le volume, la dimension, et le poids sont seulement signalées par bulletin de vérification.

XIII.—1. Le montant du remboursement doit être énoncé dans la monnaie du pays d'origine sur l'adresse des colis et sur le bulletin d'expédition, sans rature ni surcharge même approuvées. Une étiquette rouge "Remboursement" doit être collée sur le bulletin et sur l'avis.

2. Tout colis expédié contre remboursement doit être accompagné d'un avis conforme ou analogue au modèle (H) annexé au présent Règlement.

3. Immédiatement après avoir encaissé le remboursement, le bureau destinataire renvoie cet avis au bureau d'échange expéditeur.

4. Dans le cas où le destinataire ne paye pas le montant du remboursement dans un délai de sept jours dans les relations entre pays d'Europe, et dans un délai de quinze jours dans les relations des pays d'Europe avec les pays hors d'Europe et de ces derniers pays entre eux, à partir du jour de l'arrivée du colis, ce dernier est traité comme étant tombé en rebut, conformément aux dispositions de l'Article XIV, § 3, du présent Règlement.

XIV.—1. Les colis postaux réexpédiés par suite de fausse direction sont acheminés sur leur destination par la voie la plus directe dont peut disposer l'Office réexpéditeur. Lorsque cette réexpédition entraîne restitution des colis à l'Office expéditeur, les bonifications inscrites à la feuille de route de cet Office sont annulées, et le bureau d'échange réexpéditeur livre ces objets pour mémoire à son correspondant, après avoir signalé l'erreur par un bulletin de vérification. Dans le cas contraire, et si le montant bonifié à l'Office réexpéditeur est insuffisant pour couvrir les frais de réexpédition qui lui incombent, il se crédite de la différence en forçant la somme inscrite à son avoir sur la feuille de route du bureau d'échange expéditeur. Le motif de cette rectification est notifié au dit bureau au moyen d'un bulletin de vérification.

2. Les colis postaux réexpédiés par suite de changement de

résidence des destinataires doivent autant que possible* être accompagnés du bulletin d'expédition créé par le bureau d'origine ou, en cas de perte, d'un bulletin supplémentaire. Ces colis sont grevés, à la charge des destinataires, par l'Office distributeur, d'une taxe représentant la quote-part revenant à ce dernier Office, à l'Office réexpéditeur et, s'il y a lieu, à chacun des Offices intermédiaires.

L'Office réexpéditeur se crédite de sa quote-part sur l'Office intermédiaire ou sur l'Office de la nouvelle destination. Dans le cas où le pays de réexpédition et celui de la nouvelle destination ne sont pas limitrophes, le premier Office intermédiaire qui reçoit un colis postal réexpédié se crédite du montant de sa quote-part et de celle de l'Office réexpéditeur, vis-à-vis de l'Office auquel il livre cet objet; et ce dernier, à son tour, s'il n'est lui-même qu'un intermédiaire, répète, sur l'Office suivant, sa propre quote-part, cumulée avec celles dont il a tenu compte à l'Office précédent. La même opération se poursuit dans les rapports entre les différents Offices participant au transport, jusqu'à ce que le colis postal parvienne à l'Office distributeur.

Toutefois, si la taxe exigible pour le parcours ultérieur d'un colis à réexpédier est acquittée au moment de la réexpédition, cet objet est traité comme s'il était adressé directement du pays réexpéditeur dans le pays de destination, et remis sans taxe postale au destinataire.

3. Les expéditeurs de colis tombés en rebut seront consultés sur la manière dont ils entendent en disposer, à moins qu'ils n'aient demandé le retour immédiat ou la remise à un autre destinataire par un avis (Modèle I ci-joint) libellé dans une langue connue dans le pays de destination (avec traduction sublinéaire, éventuellement, dans la langue du pays d'origine) et apposé tant sur le bulletin d'expédition que sur le colis lui-même.

Cette disposition peut aussi s'étendre à l'abandon de l'envoi à l'Office du pays de destination, mais à la condition que l'expéditeur supporte, le cas échéant, les frais de réexpédition et autres, et les droits de douane accessoires dont le colis est grevé jusqu'à concurrence du montant dont l'Office susmentionné resterait à découvert après la vente du colis.

Les demandes d'avis sont échangées entre les Administrations Centrales des pays de destination et d'origine, ou entre les bureaux de poste désignés à cet effet par ces Administrations.

Si, dans le délai de deux mois à partir de l'expédition de l'avis, le bureau de destination n'a pas reçu des instructions suffisantes, le colis est renvoyé au bureau d'origine. Ce délai est porté à six mois

* L'exemplaire signé porte par erreur "*doivent toujours être accompagnés.*" Voir le procès-verbal de la troisième séance du Congrès.

pour les relations avec les pays d'outre-mer. Le renvoi du colis doit être aussi effectué pour le cas où sa remise à une nouvelle adresse ne pourrait pas non plus avoir lieu, sauf, toutefois, le cas où l'expéditeur aurait ajouté à sa nouvelle disposition une seconde disposition éventuelle (autre adresse, abandon, &c.).

Toutefois, les articles sujets à détérioration ou à corruption peuvent seuls être vendus immédiatement, même en route à l'aller ou au retour, sans avis préalable et sans formalité judiciaire, au profit de qui de droit. Il est dressé procès-verbal de la vente.

Les colis à renvoyer à l'expéditeur sont inscrits sur la feuille de route avec la mention "Rebut" dans la colonne d'observations. Ils sont traités et taxés comme les objets réexpédiés par suite de changement de résidence des destinataires.

4. Tout colis dont le destinataire est parti pour un pays non participant à la Convention concernant les colis postaux est traité comme rebut, à moins que l'Office de la première destination ne soit en mesure de le faire parvenir.

5. Si l'une des prohibitions prévues à l'Article XII de la Convention est constatées au cours des opérations d'échange, le colis est purement et simplement rendu au bureau d'échange expéditeur dans la forme prévue par le paragraphe 1^{er} du présent Article.

XV. Les demandes de retrait de colis postaux et de changement d'adresse sont soumises aux règles et formalités prescrites par l'Article XXX du Règlement de Détail et d'Ordre pour l'exécution de la Convention principale.

XVI.—1. Chaque Administration fait établir mensuellement, par chacun de ses bureaux d'échange et pour tous les envois reçus des bureaux d'échange d'un seul et même Office, un état, conforme au modèle (J) annexé au présent Règlement, des sommes inscrites sur chaque feuille de route, soit à son crédit, pour sa part et celle de chacune des Administrations intéressées, s'il y a lieu, dans les taxes perçues par l'Office expéditeur, soit à son débit, pour la part revenant à l'Office réexpéditeur et aux Offices intermédiaires, en cas de réexpédition et de rebut, dans les taxes à recouvrer sur les destinataires.

2. Les états (J) sont ensuite récapitulés par les soins de la même Administration dans un compte (K) également annexé au présent Règlement.

3. Ce compte, accompagné des états partiels, des feuilles de route et, s'il y a lieu, des bulletins de vérification y afférents, est soumis à l'examen de l'Office correspondant, dans le courant du mois qui suit celui auquel il se rapporte.

4. Les comptes mensuels, après avoir été vérifiés et acceptés de part et d'autre, sont résumés dans un compte général trimestriel par les soins de l'Administration créditrice.

5. Le solde résultant de la balance des comptes réciproques entre deux Offices est payé par l'Office débiteur à l'Office créateur en francs effectifs et au moyen de traites tirées sur la capitale ou sur une place commerciale du pays créancier, les frais du paiement restant à la charge de l'Office débiteur. Ces traites peuvent être exceptionnellement tirées sur un autre pays, à la condition que les frais d'escompte soient à la charge de l'Office débiteur.

6. L'établissement, l'envoi, et le paiement des comptes doivent être effectués dans le plus bref délai possible et, au plus tard, avant l'expiration du trimestre suivant. Passé ce délai, les sommes dues par un Office à un autre Office sont productives d'intérêts, à raison de 5 pour cent l'an, à dater du jour de l'expiration du dit délai.

7. Est réservée, toutefois, aux Offices intéressés, la faculté de prendre, d'un commun accord, d'autres dispositions que celles qui sont formulées dans le présent Article, notamment en ce qui concerne les remboursements.

XVII.—1. Les Administrations se communiquent réciproquement, par l'intermédiaire du Bureau International et trois mois au moins avant la mise à exécution de la Convention, savoir :—

(a.) Les dispositions qu'elles auront prises en ce qui concerne la limite de poids, la déclaration de valeur, les colis encombrants, les remboursements, le nombre de colis qui peuvent être accompagnés d'une seule déclaration en douane et l'admission de communications manuscrites sur le bulletin d'expédition ;

(b.) S'il y a lieu, les limites de dimension et de volume prévues au paragraphe 2 de l'Article III du présent Règlement ;

(c.) Le tarif applicable dans leur service aux colis postaux pour chacun des pays contractants, en conformité de l'Article V de la Convention concernant les colis postaux et de l'Article I du présent Règlement ;

(d.) Les noms des bureaux ou localités qui participeront à l'échange des colis postaux ;

(e.) Un extrait, en langue Allemande, Anglaise, ou Française, des dispositions de leurs lois ou règlements intérieurs applicables au transport des colis postaux.

2. Toute modification apportée ultérieurement à l'égard des cinq points ci-dessus mentionnés doit être notifiée sans retard de la même manière.

XVIII.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant les dispositions du présent Règlement.

2. Toute proposition est soumise au procédé déterminé par

l'Article XXXIX du Règlement d'exécution de la Convention principale.

8. Pour devenir exécutoires les propositions doivent réunir, savoir:—

(a.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, de la modification du présent Article ou de l'Article XIX ;

(b.) Les deux tiers des suffrages, s'il s'agit de la modification des Articles II, III, IV, V, VI, VII, IX, X, XI, XII, XIII, et XIV ;

(c.) La simple majorité absolue, s'il s'agit de la modification des autres Articles ou de l'interprétation des diverses dispositions du présent Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées par une simple notification du Bureau International à toutes les Administrations participantes.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XIX. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de la Convention.

Il aura la même durée que cette Convention, à moins qu'il ne soit renouvelé d'un commun accord entre les Parties Contractantes.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	..	..	DR. V. STEPHAN. SACHSE. FRITSCH.
Pour la République Argentine..			CÁRLOS CALVO.
Pour l'Autriche..	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie..	..	..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour le Brésil ..	..	..	LUIZ BETIM PAES LEME.
Pour la Bulgarie	..	..	P. M. MATTHEEFF.
Pour le Chili ..	..	..
Pour la République de Colombie			G. MICHELSEN.
Pour la République de Costa-Rica ..	..	..
Pour le Danemark et les Colonies Danoises	..	..	LUND.
Pour l'Égypte ..	..	..	Y. SABA.
Pour l'Espagne ..	..	..	FEDERICO BAS.

Pour la France	MONTMARIN. J. DE SELVES. ANSAULT.
Pour les Colonies Françaises ..	G. GABRIÉ.
Pour la Grèce	J. GEORGANTAS.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria ..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour le Monténégro	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Norvège	THB. HEYERDAHL.
Pour le Paraguay	
Pour les Pays-Bas	HOFSTEDÉ. BARON VAN DER FELTZ.
Pour les Colonies Néerlandaises	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour la Serbie	SVETOZAR J. GVOZDITCH. ET. W. POPOVITCH.
Pour le Royaume de Siam ..	LUANG SURIYA NUVATR. H. KEUCHENIUS.
Pour la Suède	E. von KRUSENSTJERNA.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.
Pour la Turquie	E. PETACCI. A. FAHRI.
Pour l'Uruguay	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.
Pour les États-Unis de Vene- zuela	CARLOS MATZENAUER.

ARRANGEMENT concernant le Service des Recouvrements, conclu entre l'Allemagne, l'Autriche-Hongrie, la Belgique, le Brésil, la République de Costa-Rica, l'Égypte, la France, l'Italie, la République de Libéria, le Luxembourg, la Norvège, les Pays-Bas et les Indes Orientales Néerlandaises, le Portugal et les Colonies Portugaises, la Roumanie, le Salvador,† la Suisse, la Régence de Tunis, et la Turquie.†—Signé à Vienne, le 4 Juillet, 1891.‡*

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus dénommés, vu l'Article XIX de la Convention principale,§ ont, d'un commun accord et sous réserve de ratification, arrêté l'Arrangement suivant:—

ART. I. L'échange des valeurs à recouvrer par la poste entre ceux des pays contractants dont les Administrations Postales conviennent de se charger réciproquement de ce service, est régi par les dispositions du présent Arrangement.

II.—1. Sont admis à l'encaissement les quittances, factures, billets à ordre, traites, et généralement toutes les valeurs commerciales ou autres, payables sans frais, et dont le montant n'excède pas, par envoi, 1,000 fr. effectifs, ou une somme équivalente dans la monnaie de chaque pays. Les Administrations des Postes de deux pays correspondants peuvent, d'un commun accord, adopter un maximum plus élevé.

2. Les Administrations des Postes des pays contractants peuvent également se charger de faire protester les effets de commerce et prendre, d'un commun accord, les dispositions nécessaires au sujet de ce service. Elles peuvent de même admettre à l'encaissement les coupons d'intérêts et de dividendes et les titres amortis.

III. Le montant des valeurs à recouvrer par la poste doit être exprimé en monnaie du pays chargé du recouvrement.

IV.—1. L'envoi des valeurs à recouvrer est fait sous forme de lettre recommandée, adressée directement par le déposant au bureau de poste qui doit encaisser les fonds.

2. Le même envoi peut contenir plusieurs valeurs recouvrables par un même bureau de poste sur des débiteurs différents, au profit d'une même personne.

V.—1. La taxe d'un envoi fait en conformité de l'Article IV précédent est celle d'une lettre recommandée du poids de cet envoi. Cette taxe appartient en entier à l'Administration des Postes du pays d'origine.

* Not signed by Costa Rica.

† Not ratified by Salvador or Turkey.

‡ Adhesions notified by Circulars as follows: Chile, May 30, 1892; Dominican Republic, April 28, 1892; Sweden, November 29, 1892.

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2. Un récépissé de l'envoi est remis gratuitement à l'intéressé au moment du dépôt.

VI. Il n'est pas admis de paiement partiel. Chaque valeur doit être payée intégralement et en une seule fois; sinon, elle est tenue comme refusée.

VII.—1. L'Administration des Postes chargée de l'encaissement prélève, sur le montant de chaque valeur encaissée, une rétribution de 10 centimes ou l'équivalent dans la monnaie du pays de destination.

2. Le produit de cette rétribution ne donne lieu à aucun décompte entre les Administrations intéressées.

VIII. Dans les relations qui comportent actuellement la perception d'un droit d'encaissement supérieur à celui fixé par l'Article précédent, les Administrations intéressées ont la faculté de conserver provisoirement le droit en vigueur, pourvu que, dans ces mêmes relations, la taxe de dépôt prévue à l'Article V soit limitée à un droit fixe de 25 centimes.

IX.—1. La somme recouvrée, après déduction—

(a.) De la rétribution fixée à l'Article VII ou à l'Article VIII suivant le cas;

(b.) De la taxe ordinaire des mandats de poste; et

(c.) S'il y a lieu, des droits fiscaux appliqués aux valeurs;

Est convertie, par le bureau qui a fait le recouvrement, en un mandat de poste au profit du déposant. Ce mandat lui est envoyé sans frais.

2. Les valeurs qui n'ont pu être recouvrées sont renvoyées au bureau de dépôt en franchise de port et sans être grevées d'un droit quelconque. L'Administration des Postes chargée du recouvrement n'est tenue à aucune mesure conservatoire ou constatation de nature quelconque du non-paiement.

X.—1. Les dispositions de l'Arrangement concernant l'échange des mandats de poste sont applicables, en tout ce qui n'est pas contraire au présent Arrangement, aux mandats de poste délivrés en vertu de l'Article IX précédent, pour la liquidation des valeurs recouvrées par la poste.

Toutefois, les mandats de recouvrement tombés en rebut ne sont pas remboursés, mais ils restent à la disposition de l'Office du pays expéditeur des valeurs mises en recouvrement.

2. Ces mandats sont admis jusqu'au maximum fixé en vertu du premier paragraphe de l'Article II.

XI.—1. Sauf le cas de force majeure, en cas de perte d'une lettre recommandée contenant des valeurs à recouvrer, il est payé au déposant une indemnité de 50 fr. dans les conditions déterminées par la Convention principale et sans que la réserve contenue dans le Protocole Final de cette Convention soit applicable aux envois de recouvrements.

2. En cas de perte de sommes encaissées, l'Administration au service de laquelle la perte est attribuable est tenue au remboursement intégral des sommes perdues.

XII. Les Administrations ne sont tenues à aucune responsabilité du chef de retards dans la transmission, soit des lettres recommandées contenant les valeurs à recouvrer, soit de ces valeurs elles-mêmes ou des mandats de paiement.

XIII. Les stipulations du présent Arrangement ne portent pas restriction au droit des Parties Contractantes de maintenir et de conclure des Arrangements spéciaux, ainsi que de maintenir et d'établir des Unions plus restreintes, en vue d'améliorer le service des recouvrements internationaux.

XIV. En outre, le présent Arrangement ne porte pas atteinte à la législation intérieure des pays contractants, dans tout ce qui n'est pas prévu par cet Arrangement.

XV.—1. Il est entendu qu'à défaut de dispositions formelles du présent Arrangement, chaque Administration a la faculté d'appliquer les dispositions régissant la matière dans son service intérieur.

2. Il est toutefois formellement interdit de percevoir, soit dans le pays d'origine, soit dans le pays de destination, une taxe ou rétribution quelconque autre que celles qui sont prévues par le présent Arrangement.

XVI. Chaque Administration peut, dans des circonstances extraordinaires de nature à justifier la mesure, suspendre temporairement le service des recouvrements, d'une manière générale ou partielle, sous la condition d'en donner immédiatement avis, au besoin par voie télégraphique, à l'Administration ou aux Administrations intéressées.

XVII.—1. Les Administrations des Postes des pays contractants admettent au service des recouvrements tous les bureaux chargés du service des mandats de poste internationaux.

2. Elles règlent, d'un commun accord, le mode du dépôt et de l'envoi des valeurs à recouvrer, ainsi que toutes les autres mesures de détail ou d'ordre nécessaires pour assurer l'exécution du présent Arrangement.*

XVIII. Les États de l'Union qui n'ont point pris part au présent Arrangement seront admis à y adhérer sur leur demande, et dans la forme prescrite par la Convention principale en ce qui concerne les adhésions à l'Union Postale Universelle.

XIX.—1. Dans l'intervalle qui s'écoule entre les réunions prévues par la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des recouvrements.

* See Règlement, page 1002.

2. Toute proposition est soumise au procédé déterminé par le § 2 de l'Article XXVI de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVIII, et XX du présent Arrangement ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des dispositions de l'Article XVII ;

(3.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions du présent Arrangement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et dans le troisième cas par une notification administrative, selon la forme prévue par la Convention principale.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XX.—1. Le présent Arrangement entrera en vigueur le 1^{er} Juillet, 1892.

2. Il aura la même durée que la Convention principale, sans préjudice du droit réservé à chaque pays de se retirer de cet Arrangement moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse. Pendant cette dernière année, l'Arrangement continuera d'avoir son exécution pleine et entière, sans préjudice de la liquidation et du solde des comptes après l'expiration du dit terme.

3. Sont abrogées, à partir du jour de la mise à exécution du présent Arrangement, toutes les dispositions convenues antérieurement entre les divers Gouvernements ou Administrations des Parties Contractantes, pour autant qu'elles ne seraient pas conciliables avec les termes du présent Arrangement, le tout sans préjudice des droits réservés par l'Article XIII.

4. Le présent Arrangement sera ratifié aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

En foi de quoi les Plénipotentiaires des pays ci-dessus dénommés ont signé le présent Arrangement à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne DR. V. STEPHAN.

SACHSE.

FRITSCH.

Pour l'Autriche OBENTRAUT.

DR. HOFMANN.

DR. LILIENAU.

HABBERGER.

1002- AUSTRIA, BELGIUM, FRANCE, &c.

Pour la Hongrie..	..	..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour le Brésil ..	..	..	LUIZ BETIM PAES LEME.
Pour la République de Costa- Rica ..	..	..	..
Pour l'Égypte ..	..	..	Y. SABA.
Pour la France ..	..	..	MONTMARIN. J. DE SELVES. ANSAULT.
Pour l'Italie ..	..	..	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria..	..	..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg ..	..	..	MONGENAST.
Pour la Norvège ..	..	..	THB. HEYERDAHL.
Pour les Pays-Bas ..	..	..	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Indes Orientales Néer- landaises ..	..	..	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises ..	..	..	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie ..	..	..	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador ..	..	..	LOUIS KEHLMANN.
Pour la Suisse ..	..	..	ED. HÖHN. C. DELESSE.
Pour la Régence de Tunis ..	..	..	MONTMARIN.
Pour la Turquie..	..	..	E. PETACCL A. FAHRI.

RÈGLEMENT de Détail et d'Ordre pour l'Exécution de l'Arrangement concernant le Service des Recouvrements. — Vienne, le 4 Juillet, 1891.

LES Soussignés, vu l'Article XVII, § 2, de l'Arrangement concernant le service des recouvrements,* ont, au nom de leurs Administrations respectives, arrêté, d'un commun accord, les mesures suivantes pour assurer l'exécution du dit Arrangement :—

ART. I.—1. Toute valeur mise en recouvrement doit—

(a.) Porter l'énonciation de la somme à recouvrer en toutes lettres (caractères Latins) et en monnaie du pays de destination, du nom et de l'adresse du débiteur, ainsi que la signature pour acquit du déposant, s'il y a lieu ;

(b.) Avoir été soumise au droit de timbre dans le pays d'origine, si elle est sujette à ce droit ;

(c.) Être inscrite sur un bordereau conforme au modèle (A) annexé au présent Règlement ;

(d.) Être adressée avec le bordereau de recouvrement au bureau de poste de destination, sous une enveloppe conforme ou analogue au modèle (B) ci-annexé et revêtue de timbres-poste représentant la taxe fixée par l'Article V ou l'Article VIII de l'Arrangement.

2. Les annexes d'une valeur à recouvrer doivent y être attachées.

II.—1. Il est interdit de consigner, sur le bordereau de recouvrement, d'autres annotations que celles que comporte la contexture de cette formule, ou de joindre aux valeurs à recouvrer des lettres ou des notes pouvant tenir lieu de correspondance entre le créancier et le débiteur. Le cas échéant, il n'est pas tenu compte des annotations illicites consignées sur le bordereau de recouvrement ; quant aux lettres ou notes séparées, elles sont renvoyées sans frais au déposant, par l'intermédiaire du bureau d'origine, avec une fiche indiquant le motif du renvoi, par exemple par les mots : "Transmission interdite."

Ne tombent pas sous le coup de cette interdiction les pièces justificatives (connaissances, comptes de retour, actes de protêt, &c.) qui ne doivent être remises au débiteur qu'en cas de paiement de la valeur qu'elles accompagnent.

2. Il n'est pas permis de réunir dans un même envoi des valeurs à différents jours d'échéance.

III.—1. L'enveloppe contenant les valeurs à recouvrer, avec le bordereau de recouvrement, est fermée par l'expéditeur et déposée au guichet ; elle doit porter le nom et l'adresse exacte de l'expéditeur et être soumise à la formalité de la recommandation.

2. Si l'enveloppe a été trouvée à la boîte dûment affranchie, elle est traitée comme si elle avait été déposée au guichet. En cas de non-affranchissement ou d'affranchissement insuffisant, il n'est pas donné cours à l'envoi.

IV.—1. Le préposé du bureau de destination fait l'ouverture du pli recommandé et vérifie le nombre des pièces jointes au bordereau de recouvrement, ainsi que leur montant. Le résultat de la vérification est constaté sur le bordereau de recouvrement et certifié par la signature du préposé.

2. Lorsque le nombre des pièces annoncé par le bordereau n'est

pas trouvé dans l'enveloppe, le préposé informe immédiatement du fait le bureau expéditeur, chargé d'en aviser le déposant; il procède néanmoins au recouvrement des valeurs reconnues régulières, après avoir constaté le manquant en regard de l'inscription.

V. Les valeurs insérées dans une enveloppe trouvée à la boîte (Article III, § 2, ci-dessus) sont mises en recouvrement, alors même que le nom et l'adresse de l'envoyeur ne seraient pas indiqués, soit sur l'enveloppe, soit sur le bordereau de recouvrement, soit sur les valeurs elles-mêmes. Mais, dans ce cas, le préposé, une fois le recouvrement opéré, s'il n'a pas pu recueillir, auprès du débiteur, les renseignements qui lui font défaut, prévient du fait l'Administration à laquelle il appartient. Celle-ci demande à l'Administration du pays d'origine le nom et l'adresse de l'envoyeur.

VI. Les valeurs sont présentées aux débiteurs le plus tôt possible, et, s'il y a lieu, le jour de l'échéance.

VII.—1. Les titres non payés à première présentation sont rapportés au bureau de poste chargé du recouvrement et laissés pendant un délai de sept jours à la disposition des débiteurs, qui peuvent encore venir se libérer. Ils sont prévenus de ce fait par le facteur ou par le bureau destinataire.

Le délai de sept jours compte à partir du jour qui suit celui de la première présentation.

2. Lorsque le déposant a demandé par une annotation sur le bordereau qu'après une présentation infructueuse les titres lui soient renvoyés immédiatement ou remis à des personnes nominativement désignées à cet effet, il doit être fait droit à sa demande.

VIII. Les sommes recouvrées, déduction faite de la rétribution prévue à l'Article VII, § 1, ou, suivant le cas, à l'Article VIII de l'Arrangement, des droits fiscaux, s'il y a lieu, et de la taxe ordinaire des mandats de poste, sont converties en un mandat de poste établi en conformité du Règlement d'exécution de l'Arrangement concernant le service des mandats de poste et portant en tête le mot "Recouvrement." La taxe du mandat précité est toujours calculée sur le total de la somme encaissée.

IX.—1. La réexpédition, dans l'intérieur du pays de destination, des valeurs à recouvrer, par suite de changement de résidence des destinataires, est effectuée sans frais.

2. Si la réexpédition comprend toutes les valeurs à recouvrer formant un même envoi, le bureau de la nouvelle résidence procède comme si les valeurs lui avaient été primitivement adressées. Il est fait mention de la réexpédition sur le bordereau spécial (voir Article XI) de la manière suivante: "Réexpédié par le bureau N. N."

3. Par contre, s'il s'agit d'un envoi contenant plusieurs valeurs recouvrables sur des débiteurs différents, dont une ou plusieurs

pièces seulement sont réexpédiées par suite du changement de résidence d'un débiteur, le bureau de la nouvelle résidence doit, si faire se peut, envoyer d'office, par mandat de poste, la somme encaissée ou, à défaut, les valeurs impayées, au bureau auquel le bordereau (Article I) a été adressé; ce dernier bureau reste seul chargé de la liquidation des comptes avec l'expéditeur.

X. Les valeurs qui n'ont pu être recouvrées pour un motif quelconque sont renvoyées au déposant dans la forme prévue par l'Article XI ci-après.

Il est fait mention de la cause du non-recouvrement, sans autre constatation, soit sur une fiche jointe aux titres, soit sur le verso du bordereau spécial (C) mentionné à l'Article XI.

Les bureaux se conforment, à cet égard, aux dispositions du § 4 de l'Article XXII du Règlement de Détail et d'Ordre pour l'exécution de la Convention principale.

XI.—1. Les valeurs impayées, ainsi que les mandats émis pour les valeurs encaissées, doivent être accompagnées d'un bordereau spécial (modèle C) et adressées au bureau de dépôt, recommandées d'office, sous une enveloppe conforme ou analogue au modèle (D) annexé au présent Règlement. Dans le cas où l'envoi ne contient pas de valeur impayée, la recommandation d'office n'est pas nécessaire, et il y a lieu de biffer sur l'enveloppe (modèle D) les mots superflus. Dans les relations qui comportent, pour le service des mandats, l'intervention de bureaux d'échange, les envois prévus au présent paragraphe se font également par l'intermédiaire de ces bureaux.

2. Le bordereau mentionné au § 1 précédent doit contenir :—

(a.) L'empreinte du timbre à date du bureau chargé du recouvrement;

(b.) Le nom et l'adresse du déposant, la date du dépôt et le montant des valeurs déposées;

(c.) Le montant du mandat;

(d.) Le montant détaillé des frais;

(e.) Le montant des valeurs recouvrées;

(f.) Le nombre et le montant des valeurs non recouvrées.

3. Le total du mandat et des frais doit égaler le montant des valeurs recouvrées.

4. La réunion des sommes recouvrées et non recouvrées doit former le montant exact des valeurs originellement déposées.

5. Les indications inutiles du bordereau sont barrées.

6. Les bordereaux de liquidation manquants ou irréguliers sont réclamés ou renvoyés directement de bureau à bureau.

XII.—1. Les Administrations des pays contractants se communiquent réciproquement, par l'intermédiaire du Bureau International et trois mois au moins avant la mise à exécution de

l'Arrangement, un extrait des dispositions de leurs lois ou règlements intérieurs applicables au service des recouvrements.

2. Toute modification ultérieure devra être notifiée sans retard de la même manière.

XIII.—1. Dans l'intervalle qui s'écoule entre les réunions, toute Administration des Postes d'un pays contractant a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant les dispositions du présent Règlement.

2. Toute proposition est soumise au procédé déterminé par l'Article XXXIX du Règlement d'Exécution de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux des Articles ou de la modification des dispositions du présent Article et Articles I, II, III, VI, VIII, IX, X, et XIV du présent Règlement;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des Articles V, VII, et XI;

(3.) La simple majorité absolue, s'il s'agit de la modification des autres Articles ou de l'interprétation des diverses dispositions du présent Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées par une notification du Bureau International à toutes les Administrations participantes.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois, au moins, après sa notification.

XIV.—1. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement.

2. Il aura la même durée que cet Arrangement, à moins qu'il ne soit renouvelé, d'un commun accord, entre les parties intéressées.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	DR. v. STEPHAN.
	SACHSE.
	FRITSCH.
Pour l'Autriche	OBENTHAUT.
	DR. HOFMANN.
	DR. LILIENAU.
	HABBERGER.
Pour la Hongrie	P. HEIM.
	S. SCHRIMPF.
Pour la Belgique	LICHTERVELDE.
Pour le Brésil	LUIZ BETIM PAES LEMR.
Pour la République de Costa- Rica	

Pour l'Égypte	Y. SABA.
Pour la France	MONTMARIN. J. DE SELVES. ANSAULT.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria..	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour la Norvège.. ..	THB. HEYERDAHL.
Pour les Pays-Bas	HOFSTEDE. BARON VAN DER FELTZ.
Pour les Indes Orientales Néer- landaises	JOHS. J. PERK.
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.
Pour la Turquie.. ..	E. PETACCI. A. FAHRI.

ARRANGEMENT concernant l'Introduction des Livrets d'Identité dans le Trafic Postal International, conclu entre la République Argentine, le Brésil, la Bulgarie, la République de Colombie,† la République de Costa-Rica,* l'Égypte, la France, la Grèce, l'Italie, la République de Libéria, le Luxembourg, le Mexique, le Paraguay,* le Portugal et les Colonies Portugaises, la Roumanie, le Salvador,† la Suisse, la Régence de Tunis, la Turquie,† et les États-Unis de Venezuela.—Signé à Vienne, le 4 Juillet, 1891.‡

LES Gouvernements des pays signataires du présent Arrangement désirant aplanir, autant que possible, les difficultés qu'éprouve

* Not signed by Costa Rica or Paraguay.

† Not ratified by Colombia, Salvador, or Turkey.

‡ Adhesion of Chile notified by Circular, May 30, 1892; of Dominican Republic, April 28, 1892.

le public à se faire remettre, dans le ressort de l'Union Postale Universelle, les envois postaux ou le montant des mandats de poste, et usant de la faculté qui leur est réservée par l'Article XIX de la Convention principale ;*

Les Soussignés, munis à cet effet de pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :—

ART. I.—1. Les Administrations Postales des pays contractants peuvent délivrer, aux personnes qui en font la demande, des livrets d'identité aux conditions indiquées dans le présent Arrangement.

2. La disposition qui précède ne porte pas restriction au droit du public de justifier de son identité au moyen de tous autres modes de preuve admis par les lois ou règlements concernant le service intérieur du pays destinataire.

II.—1. Le livret d'identité doit être conforme au modèle joint au présent Arrangement.

2. Chaque livret porte une couverture de couleur verte et se compose d'un feuillet portant les indications personnelles du titulaire, et de dix feuillets à quittance.

La couverture porte au recto, en langue du pays d'origine, le titre suivant :—

UNION POSTALE UNIVERSELLE.

LIVRET D'IDENTITÉ.

NUMÉRO .

Au verso de la couverture, la carte-photographie du titulaire, revêtue de sa signature, est attachée au moyen d'un ruban dont les deux bouts, ramenés sur la photographie, y sont fixés à l'aide d'un cachet officiel à la cire, sans préjudice de tous autres moyens que les Administrations pourront admettre ultérieurement d'un commun accord.

Au bas de la photographie est inscrite la déclaration suivante :

Les Administrations des Postes sont dégagées de toute responsabilité en cas de perte du présent livret.

Le feuillet contenant les indications personnelles du titulaire porte les mentions suivantes :

Au recto :

Administration des Postes d .

Livret d'identité No. .

Valable du au .

Le Soussigné déclare que la signature figurant ci-dessous et sur la photographie ci-contre a été apposée de sa propre main par

M. (prénom, nom, âge, profession, et domicile), dont il a dûment constaté l'identité.

En foi de quoi le présent livret lui a été délivré, pour valoir pendant trois ans à partir de la date de la présente déclaration.

A , le , 189 .

Signature du titulaire.

Signature du fonctionnaire.

Au verso :

La description du signalement du titulaire et une case destinée à l'apposition du visa pour date.

Chaque feuillet à quittance se compose de deux souches et de deux quittances. Chaque souche porte l'inscription :

Coupon No. , le , 189 .

J'ai { retiré
ou
encaissé } au bureau de la poste de un { envoi
ou
mandat } .

Signature du titulaire.

La souche est réunie à la quittance par une frise transversale portant les mots :—

“ Union Postale Universelle. Livret d'identité.”

Entre les mots “ universelle ” et “ Livret ” est réservé un espace pour l'application du timbre sec de l'Office d'émission.

Au recto de la quittance figure la mention suivante :—

“ Sur la présentation de ce livret, et contre la remise de cette quittance, les bureaux de poste des pays contractants sont tenus de livrer à son titulaire tout envoi postal sujet à décharge, et de lui payer tout mandat à son adresse, si la signature apposée sur la souche et sur la quittance est reconnue identique à celle ci-devant.”

Au verso de la souche figure la déclaration suivante :—

“ Les coupons doivent être détachés de la souche l'un après l'autre, dans l'ordre de la pagination. Le bureau de poste qui reçoit le dernier coupon retient la souche.”

Au verso de la quittance figure la déclaration suivante :—

“ Sur la présentation de ce coupon a été remis l'envoi postal No. .”

ou

“ Payé le mandat de poste originaire du bureau de poste de .”

“ (Signature du destinataire.) ”

“ (Signature de l'employé des postes.) ”

3. Les feuillets des livrets dûment numérotés sont reliés à la couverture par un ruban aux couleurs nationales du pays d'origine, et les deux bouts de ce ruban sont fixés par un cachet officiel à la cire, sur la partie finale intérieure de la couverture.

III.—1. Les formules des livrets d'identité sont rédigées dans la langue du pays qui les émet.

2. A la suite du dernier feuillet de quittances est intercalée une instruction sommaire reproduite dans la langue de chacun des pays qui adhèrent à l'Arrangement, dans le but de fournir aux bureaux les explications essentielles à l'exécution de cette branche du service.

IV.—1. Les Administrations des Postes des pays contractants désignent, chacune pour ce qui la concerne, les fonctionnaires qui doivent délivrer les livrets d'identité.

2. Elles déterminent également, chacune pour ce qui la concerne, quels sont les documents propres à la justification de l'identité des requérants, lorsque ceux-ci ne sont pas personnellement connus des fonctionnaires appelés à délivrer les livrets d'identité.

V.—1. Les envois ordinaires sont délivrés aux titulaires des livrets contre la seule présentation de ceux-ci.

2. Les envois à distribuer contre reçu ou quittance sont délivrés, et les paiements de mandats de poste sont faits, aux destinataires porteurs d'un livret, contre remise de quittances détachées du livret et dûment signées.

3. Toutefois, quand le porteur est notoirement connu à la poste, il n'est pas obligatoire d'exiger de lui la présentation de son livret, ni d'en détacher des quittances, s'il prend livraison d'objets comportant reçu ou s'il touche des mandats.

VI.—1. Les envois-postaux et le montant des mandats doivent être remis aux titulaires des livrets en personne.

2. Ils peuvent toutefois être remis à un tiers dûment autorisé, contre production du livret, s'il s'agit d'envois postaux ordinaires, et contre remise de quittances signées par le titulaire et détachées du livret, dans les autres cas ; mais le bureau destinataire est autorisé à ne délivrer les envois à un tiers porteur, et à ne lui payer le montant d'un mandat de poste que contre un acquit, dûment motivé, donné par celui-ci.

VII. Les lois ou règlements du pays destinataire déterminent les envois postaux qui sont considérés comme envois ordinaires, ainsi que ceux qui ne peuvent être remis que contre reçus ou quittances spéciales.

VIII.—1. Le prix du livret d'identité est fixé à 50 centimes, non compris le coût de la carte-photographie, qui doit être remise au bureau de poste par la personne qui demande un livret d'identité.

2. Toutefois, il est loisible aux Administrations qui ne se trouvent pas suffisamment rémunérées d'élever ce prix jusqu'au maximum d'un franc.

3. Les quittances remises au bureau de poste destinataire ne peuvent être frappées, à la charge du titulaire du livret, d'une taxe postale quelconque.

IX. Chaque Administration garde en entier les sommes qu'elle a perçues en exécution de l'Article qui précède.

X. Les quittances du livret d'identité sont détachées de la souche l'une après l'autre et en suivant rigoureusement l'ordre de la pagination.

XI.—1. Les livrets d'identité sont valables pendant trois ans à partir du jour de la remise aux titulaires.

2. A l'expiration de ce délai ils peuvent être l'objet d'un visa pour date qui leur donne une nouvelle durée de validité pour un an.

XII. Le bureau de poste qui reçoit la dernière quittance d'un livret d'identité doit en retenir la souche et provoquer au profit du titulaire, s'il le demande, la délivrance, par son Administration, d'un nouveau livret, sans exiger d'autres preuves d'identité.

XIII. Les Administrations des Postes des pays contractants sont dégagées de toute responsabilité, dès que le paiement d'un mandat ou la livraison d'un envoi postal a eu lieu contre la remise d'une quittance détachée du livret d'identité et signée par le titulaire.

XIV.—1. En cas de perte d'un livret, le titulaire est tenu de signaler ce fait—

(1.) Au bureau de poste de la localité où il se trouve, ou au bureau de poste le plus proche ;

(2.) A l'Office qui a émis le livret.

2. Dans tous les cas il demeure responsable des conséquences de la perte de son livret.

XV. Sur la dénonciation à lui faite, le bureau de poste précité refuse provisoirement toute remise d'un envoi postal ou tout paiement d'un mandat qui lui serait réclamé au moyen du livret perdu.

XVI. Il appartient à l'Administration du pays d'émission de prendre toutes les mesures nécessaires pour l'annulation du livret perdu, d'après les renseignements fournis par le titulaire.

XVII. Les Administrations des pays contractants se communiquent réciproquement, par l'intermédiaire du Bureau International, la liste de ceux de leurs bureaux respectifs qu'elles autorisent à délivrer des livrets d'identité.

XVIII. Les pays de l'Union qui n'ont point pris part au présent Arrangement seront admis à y adhérer sur leur demande et dans la forme prescrite par l'Article XXIV de la Convention principale concernant les adhésions à l'Union Postale Universelle.

XIX.—1. Dans l'intervalle qui s'écoule entre les réunions prévues à l'Article XXV de la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des livrets d'identité.

2. Toute proposition est soumise au procédé déterminé par le § 2 de l'Article XXVI de la Convention principale.

3. Pour devenir exécutoires, ces propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles I, IV, V, VI, VII, IX, XI, XII, XIII, XVIII, et XX du présent Arrangement ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des autres Articles ;

(3.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions du présent Arrangement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et dans le troisième cas par une notification administrative, selon la forme indiquée à l'Article XXVI de la Convention principale.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XX.—1. Le présent Arrangement entrera en vigueur le 1^{er} Juillet, 1892.

2. Il aura la même durée que la Convention principale, sans préjudice du droit, réservé à chaque pays, de se retirer de cet Arrangement moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse.

3. Le présent Arrangement sera ratifié aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

En foi de quoi les Plénipotentiaires des pays ci-dessus énumérés ont signé le présent Arrangement à Vienne, le 4 Juillet, 1891.

Pour la République Argentine.. CARLOS CALVO.

Pour le Brésil LUIZ BETIM PAES LEME.

Pour la Bulgarie P. M. MATTHEEFF.

Pour la République de Colombie G. MICHELSEN.

Pour la République de Costa-

Rica

Pour l'Égypte Y. SABA.

Pour la France MONTMARIN.

J. DE SELVES.

ANSAULT.

Pour la Grèce	J. GEORGANTAS.
Pour l'Italie	EMIDIO CHIARADIA. FELICE SALIVETTO.
Pour la République de Libéria .	BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	MONGENAST.
Pour le Mexique	L. BRETON Y VEDRA.
Pour le Paraguay	
Pour le Portugal et les Colonies Portugaises	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour le Salvador	LOUIS KEHLMANN.
Pour la Suisse	ED. HÖHN. C. DELESSERT.
Pour la Régence de Tunis ..	MONTMARIN.
Pour la Turquie.. ..	E. PETACCI. A. FAHRI.
Pour les États-Unis de Vene- zuela	CARLOS MATZENAUER.

ARRANGEMENT *concernant l'Intervention de la Poste dans les Abonnements aux Journaux et Publications Périodiques, conclu entre l'Allemagne, l'Autriche-Hongrie, la Belgique, le Brésil, la Bulgarie, la République de Colombie,* le Danemark, l'Égypte, la République de Libéria, le Luxembourg, la Norvège, la Perse, le Portugal et les Colonies Portugaises, la Roumanie, la Suède, la Suisse, la Turquie,* et l'Uruguay.*
— Signé à Vienne, le 4 Juillet, 1891.†

LES Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus énumérés, vu l'Article XIX de la Convention principale,‡ ont, d'un commun accord et sous réserve de ratification, arrêté l'Arrangement suivant:—

ART. I. Le service postal des abonnements aux journaux et

* Not ratified by Colombia or Turkey.

† Adhesions notified by Circulars as follows: Chile, May 30, 1892; Dominican Republic, April 28, 1892; Greece, May 17, 1893 Italy, April 28, 1892; Netherlands, March 24, 1892; Salvador, September 9, 1895; Servia, December 21, 1895.

‡ Page 613.

publications périodiques entre ceux des pays contractants dont les Administrations Postales s'entendent pour établir réciproquement ce service, est régi par les dispositions du présent Arrangement.

II. Les bureaux de poste de chaque pays reçoivent les souscriptions du public aux journaux et ouvrages périodiques publiés dans les divers pays contractants.

Ce service s'étend également à des publications de tous autres pays, que certaines Administrations seraient en mesure de fournir, sous réserve de l'application des dispositions de l'Article XVI de la Convention principale.

III.—1. Le prix de l'abonnement est exigible au moment de la souscription et pour toute la période d'abonnement.

2. Les abonnements ne peuvent être demandés que pour les périodes fixées aux listes officielles.

IV. Les Administrations des Postes, en se chargeant des abonnements à titre d'intermédiaires, n'assument aucune responsabilité quant aux charges et obligations qui incombent aux éditeurs.

Elles ne sont tenues à aucun remboursement en cas de cessation ou l'interruption d'une publication en cours d'abonnement.

V. Le service international des abonnements s'effectue par l'entremise de bureaux d'échange à désigner respectivement par chaque Administration.

VI.—1. Chaque Administration fixe les prix auxquels elle fournit aux autres Administrations ses publications nationales et, s'il y a lieu, les publications de toute autre origine.

Toutefois ces prix ne peuvent, dans aucun cas, être supérieurs à ceux qui sont imposés aux abonnés à l'intérieur, sauf addition, pour ce qui concerne les relations entre des pays non limitrophes, des droits de transit dus aux Offices intermédiaires.

2. Les droits de transit sont établis d'avance à forfait, en prenant pour base le degré de périodicité combiné avec le poids moyen des journaux.

VII.—1. L'Administration des Postes du pays destinataire fixe le prix à payer par l'abonné en ajoutant, au prix de revient établi en vertu de l'Article VI précédent, telle taxe, droit de commission ou de factage qu'elle juge utile d'adopter, mais sans que ces redevances puissent dépasser celles qui sont perçues pour les abonnements à l'intérieur. Elle y ajoute, le cas échéant, le droit de timbre fixé par la législation de son pays.

2. Lorsque deux pays en relation n'ont pas le même système monétaire, le prix de revient est converti par l'Office du pays de destination en monnaie de ce pays. Si les Administrations ont adhéré à l'Arrangement concernant les mandats, la conversion se fait d'après le taux applicable aux mandats de poste, à moins qu'elles ne conviennent d'un taux moyen de conversion.

VIII. Les taxes ou droits établis en vertu des Articles VI et VII précédents ne donnent lieu à aucun décompte spécial entre les Offices correspondants.

IX. Lors de la formation des relevés statistiques destinés à établir les comptes des frais de transit (Articles XXIV et XXV du Règlement de détail et d'ordre pour l'exécution de la Convention principale), les journaux fournis par abonnement postal sont compris dans les pesées avec les journaux et imprimés de toute nature.

X. Les Administrations Postales sont tenues de donner suite, sans frais pour les abonnés, à toute réclamation fondée concernant des retards ou des irrégularités quelconques dans le service des abonnements.

XI.—1. Les comptes des abonnements fournis et demandés sont dressés trimestriellement. Après avoir été débattus et arrêtés contradictoirement, ces comptes sont soldés en monnaie métallique du pays créancier.

2. A cet effet, sauf entente contraire entre les Offices intéressés, lorsque deux pays en relation n'ont pas le même système monétaire, la créance la plus faible est convertie en la monnaie de la créance la plus forte, conformément à l'Article VI de l'Arrangement concernant les mandats, et la différence est liquidée le plus tôt possible par mandat de poste.

3. Les mandats de poste émis à cette fin ne sont soumis à aucun droit, et ils peuvent excéder le maximum déterminé par cet Arrangement.

4. Les soldes en retard portent intérêt à 5 pour cent l'an, au profit de l'Administration créditrice.

XII. Les stipulations du présent Arrangement ne portent pas restriction au droit des Parties Contractantes de maintenir ou de conclure des Arrangements spéciaux en vue d'améliorer, de faciliter ou de simplifier le service des abonnements internationaux.

XIII. Les pays de l'Union qui n'ont pas pris part au présent Arrangement sont admis à y adhérer sur leur demande, et dans la forme prescrite par l'Article XXIV de la Convention principale en ce qui concerne les adhésions à l'Union Postale Universelle.

XIV. Les Administrations des Postes des pays contractants arrêtent la forme des comptes désignés à l'Article XI précédent, fixent les époques auxquelles ils doivent être dressés et règlent toutes les autres mesures d'ordre et de détail nécessaires pour assurer l'exécution du présent Arrangement.*

XV. Il est entendu qu'à défaut de dispositions formelles du présent Arrangement, chaque Administration a la faculté d'appliquer les dispositions régissant la matière dans son service intérieur.

XVI.—1. Dans l'intervalle qui s'écoule entre les réunions pré-

* See Règlement, page 1017.

vues par la Convention principale, toute Administration des Postes d'un des pays contractants a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant le service des abonnements aux journaux.

2. Toute proposition est soumise au procédé déterminé par le § 2 de l'Article XXVI de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles ou de la modification des dispositions du présent Article et des Articles I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XV, XVII, et XVIII du présent Arrangement ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification de l'Article XIV ;

(3.) La simple majorité absolue, s'il s'agit de l'interprétation des dispositions du présent Arrangement, sauf le cas de litige prévu par l'Article XXIII de la Convention principale ;

4. Les résolutions valables sont consacrées, dans les deux premiers cas, par une déclaration diplomatique, et dans le troisième cas par une notification administrative, selon la forme indiquée à l'Article XXVI de la Convention principale.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XVII. Le présent Arrangement entrera en vigueur le 1^{er} Juillet, 1892.

Il aura la même durée que la Convention principale, sans préjudice du droit, réservé à chaque pays, de se retirer de cet Arrangement moyennant un avis donné, un an à l'avance, par son Gouvernement au Gouvernement de la Confédération Suisse.

Le cas échéant, les abonnements courants devront être servis dans les conditions prévues par le présent Arrangement, jusqu'à l'expiration du terme pour lequel ils ont été demandés.

XVIII. Sont abrogées, à partir du jour de la mise à exécution du présent Arrangement, toutes les dispositions sur la matière convenues antérieurement entre les Gouvernements ou Administrations des Parties Contractantes, pour autant qu'elles ne seraient pas conciliables avec les termes de cet Arrangement, le tout sans préjudice des droits réservés par l'Article XII.

Le présent Arrangement sera ratifié aussitôt que faire se pourra. Les actes de ratification seront échangés à Vienne.

En foi de quoi les Plénipotentiaires des pays ci-dessus énumérés ont signé le présent Arrangement à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne DR. V. STEPHAN.

SACHSE.

FRITSCH.

Pour l'Autriche'..	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie..	..	..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour le Brésil ..	..	..	LUIZ BETIM PAES LEME.
Pour la Bulgarie	..	..	P. M. MATTHEEFF.
Pour la République de Colombie			G. MICHELSEN.
Pour le Danemark	..	..	LUND.
Pour l'Égypte ..	..	..	Y. SABA.
Pour la République de Libéria..			BARON DE STEIN. W. KOENTZER. C. GOEDEL.
Pour le Luxembourg	..	..	MONGENAST.
Pour la Norvège..	..	..	THB. HEYERDAHL.
Pour la Perse ..	..	..	GÉNÉRAL N. SEMINO.
Pour le Portugal et les Colonies			
Portugaises ..	..	..	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	..	..	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour la Suède ..	..	..	E. VON KRUSENSTJERNA.
Pour la Suisse ..	..	..	ED. HÖHN. C. DELESSERT.
Pour la Turquie..	..	..	E. PETACCI. A. FAHRI.
Pour l'Uruguay ..	..	..	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.

RÈGLEMENT de Détail et d'Ordre pour l'Exécution de l'Arrangement concernant l'Intervention de la Poste dans les Abonnements aux Journaux et Publications Périodiques.—Vienne, le 4 Juillet, 1891.

Les Soussignés, vu l'Article XIX de la Convention principale,* et l'Article XIV de l'Arrangement concernant l'intervention de la poste dans les abonnements aux journaux et publications périodiques,†

ont, au nom de leurs Administrations respectives, arrêté, d'un commun accord, les mesures suivantes pour assurer l'exécution du dit Arrangement :—

I. Chaque Administration fait connaître aux autres Administrations intéressées les bureaux d'échange qu'elle a désignés pour les relations avec chacune d'elles.

II. Les bureaux d'échange correspondent directement entre eux pour tout ce qui concerne le service des abonnements.

III.—1. Les Administrations des Postes en relation se communiquent réciproquement une fois par an la liste (modèle A ci-annexé) des publications dont l'abonnement peut être servi par leur intermédiaire, avec indication des conditions de souscription et des prix de revient en monnaie d'or, droit de transit compris, en appliquant au besoin un taux moyen de conversion de leur monnaie courante en monnaie d'or.

2. Les modifications à apporter, par la suite, à cette liste sont notifiées immédiatement d'Office à Office, par l'entremise de bureaux d'échange, à mesure que ces changements se produisent.

IV. Chaque Administration dresse, au moyen des listes fournies en exécution de l'Article III précédent, un Tarif Général indiquant, par pays, les journaux, les conditions de l'abonnement, et les prix à payer par l'abonné. Ces prix, établis conformément à l'Article VII de l'Arrangement, sont énoncés dans la monnaie nationale du pays qui publie le Tarif.

V. Dans le cas où il serait demandé un abonnement à une publication qui ne figurerait pas à la liste, il devrait en être référé à l'Office en cause par l'intermédiaire du bureau d'échange, à l'effet d'obtenir les renseignements nécessaires. Il pourra néanmoins être donné suite immédiatement à la demande d'abonnement, sous réserve du règlement de compte ultérieur avec l'intéressé, lequel sera tenu de déposer des arrhes, au besoin.

VI. Les frais de transit à acquitter en sus du prix normal de l'abonnement sont établis conformément à l'Article IV de la Convention principale, en prenant pour base le poids moyen du journal, multiplié par le nombre de fois que celui-ci doit paraître pendant le cours de l'abonnement.

VII.—1. Les abonnements prennent cours—

Pour un an, au 1^{er} Janvier ;

Pour six mois, au 1^{er} Janvier et au 1^{er} Juillet ;

Pour trois mois, au 1^{er} Janvier, au 1^{er} Avril, au 1^{er} Juillet, et au 1^{er} Octobre.

2. Les Administrations intéressées peuvent s'entendre pour admettre des abonnements de quinze jours, d'un mois, d'un mois et demi, de deux mois, et de deux mois et demi pour compléter le trimestre en cours.

VIII.—1. Vers la fin de chaque trimestre, les bureaux d'échange récapitulent, sur une liste conforme au modèle (B) annexé au présent Règlement, les demandes d'abonnement qui leur sont parvenues de l'intérieur.

Cette liste doit parvenir au bureau d'échange correspondant en temps utile, pour que celui-ci soit mis à même de faire servir les abonnements à la date pour laquelle ils ont été demandés.

2. Les demandes qui parviennent après l'envoi de la liste générale font l'objet de listes spéciales.

Il en est de même pour les demandes qui sont faites en dehors des périodes ordinaires de renouvellement.

Ces listes sont revêtues de numéros d'ordre non interrompus pendant une année.

Les abonnés qui n'ont pas fait leur demande en temps utile n'ont aucun droit aux numéros parus depuis le commencement de l'abonnement.

IX.—1. Les journaux sont expédiés en paquets adressés, soit directement aux bureaux de destination, soit en bloc à des bureaux intermédiaires, selon que les Administrations en conviendront.

2. Les paquets doivent porter l'indication " Abonnements-poste " ou une mention équivalente.

3. La distribution est effectuée sur liste aux abonnés.

4. Par exception, les journaux devront être placés sous des bandes à l'adresse des abonnés, quand les bureaux d'échange du pays destinataire le demanderont.

Les bandes porteront la mention " Abonnements-poste. "

X.—1. Les retards, interruptions, fausses directions, ou irrégularités quelconques qui se produisent dans le service de l'abonnement sont signalés immédiatement soit au bureau intermédiaire, ou, s'il y a lieu, au bureau d'origine, soit aux Administrations Centrales qui l'auront demandé.

2. Il doit être donné suite sans retard aux réclamations.

XI.—1. Les abonnés, en cas de changement de résidence, peuvent obtenir la mutation du journal pour l'intérieur du pays. Il peut être perçu de ce chef un droit spécial.

2. Si l'abonné transfère sa résidence hors du pays, les numéros sont expédiés à l'adresse personnelle du destinataire et dûment affranchis en timbres-poste, soit par l'éditeur, après intervention des bureaux d'échange, soit par le bureau de première destination, moyennant payement préalable de l'affranchissement par l'abonné.

XII.—1. En cas d'interruption ou de cessation, de la part de l'éditeur, dans la publication d'un journal, les Administrations prêtent leurs bons offices à l'effet d'obtenir, autant que possible, le remboursement aux abonnés du prix du journal pour la période pendant laquelle l'abonnement n'a pas été servi.

2. Les Offices se font connaître réciproquement les journaux frappés d'interdiction.

XIII.—1. Sauf arrangement contraire, dès que les commandes trimestrielles peuvent être considérées comme closes, et au plus tard le 20 du premier mois du trimestre, chaque bureau d'échange dresse pour le bureau correspondant un compte particulier (modèle C) sur lequel il inscrit, par ordre alphabétique et par période d'abonnement, en commençant par la durée la moins longue, les journaux demandés au bureau correspondant jusqu'à la date du dit compte, depuis la formation du compte précédent.

Les abonnements demandés après la formation de ce compte sont portés au compte du trimestre suivant.

2. Sauf arrangement contraire, les comptes dressés de part et d'autre sont débattus et liquidés avant l'expiration du second mois du trimestre auquel ces comptes se rapportent. Ce délai est prolongé de quatre mois pour les pays hors d'Europe.

3. Les différences sont réglées dans le compte trimestriel suivant.

4. Au besoin, il peut être réclamé des acomptes mensuels.

XIV.—1. Les Administrations des pays contractants se communiquent réciproquement, par l'intermédiaire du Bureau International et trois mois au moins avant la mise à exécution de l'Arrangement, un extrait des dispositions de leurs lois ou règlements intérieurs applicables au service des abonnements.

2. Toute modification ultérieure doit être notifiée sans retard de la même manière.

XV.—1. Dans l'intervalle qui s'écoule entre les réunions, toute Administration des Postes d'un pays contractant a le droit d'adresser aux autres Administrations participantes, par l'intermédiaire du Bureau International, des propositions concernant les dispositions du présent Règlement.

2. Toute proposition est soumise au procédé déterminé par l'Article XXXIX du Règlement d'Exécution de la Convention principale.

3. Pour devenir exécutoires, les propositions doivent réunir, savoir :—

(1.) L'unanimité des suffrages, s'il s'agit de l'addition de nouveaux Articles, ou de la modification des dispositions du présent Article et des Articles I, II, III, IV, VI, VIII, et XVI du présent Règlement ;

(2.) Les deux tiers des suffrages, s'il s'agit de la modification des Articles VII, IX, X, XII, et XIII ;

(3.) La simple majorité absolue, s'il s'agit de la modification des autres Articles, ou de l'interprétation des diverses dispositions du présent Règlement, sauf le cas de litige prévu à l'Article XXIII de la Convention principale.

4. Les résolutions valables sont consacrées par une notification du Bureau International à toutes les Administrations participantes.

5. Toute modification ou résolution adoptée n'est exécutoire que deux mois au moins après sa notification.

XVI. Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur de l'Arrangement.

Il aura la même durée que cet Arrangement, à moins qu'il ne soit renouvelé, d'un commun accord, entre les parties intéressées.

Fait à Vienne, le 4 Juillet, 1891.

Pour l'Allemagne	..	..	DR. v. STEPHAN. SACHSE. FRITSCH.
Pour l'Autriche ..	..	..	OBENTRAUT. DR. HOFMANN. DR. LILIENAU. HABBERGER.
Pour la Hongrie..	..	..	P. HEIM. S. SCHRIMPF.
Pour la Belgique	..	..	LICHTERVELDE.
Pour le Brésil ..	..	..	LUIZ BETIM PAES LEME.
Pour la Bulgarie..	..	..	P. M. MATTHEEFF.
Pour la République de Colombie			G. MICHELSEN.
Pour le Danemark	..	..	LUND.
Pour l'Égypte ..	..	..	Y. SABA.
Pour la République de Libéria..			BARON DE STEIN. W. KOENTZER. C. GOEDELTE.
Pour le Luxembourg	..	..	MONGENAST.
Pour la Norvège..	..	..	THB. HEYERDAHL.
Pour la Perse ..	..	..	GÉNÉRAL N. SEMINO.
Pour le Portugal et les Colonies Portugaises ..	..	..	GUILHERMINO AUGUSTO DE BARROS.
Pour la Roumanie	..	..	COLONEL A. GORJEAN. S. DIMITRESCU.
Pour la Suède ..	..	..	E. VON KRUSENSTJERNA.
Pour la Suisse ..	..	..	ED HÖHN. C. DELESSERT.
Pour la Turquie..	..	..	E. PETACCI. A. FAHRI.
Pour l'Uruguay ..	..	..	FEDERICO SUSVIELA GUARCH. JOSÉ G. BUSTO.

*DECREE of the Co.
Brus*

LÉOPOLD II, Roi du
du Congo, à tous présen

Sur la proposition
Généraux et de l'avis de

Nous avons décr

ART. 1^{er}. L'étrange
Indépendant du Congo

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2. L'état et la capi
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pour les Européens à l'Etat

ci-dessus et notamment
entreprises ayant pour but à
les esclaves à la traite des

classe de Traite.

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era puni d'une servitude
de 100 fr. à 500 fr., et

pratique la Traite.

6 Février.

matrimoniales, par la loi du premier établissement des époux, sauf la preuve d'une intention contraire.

7. Les époux ne sont admis à demander le divorce que si leur loi nationale les y autorise.

Le divorce ne peut être prononcé que pour un des motifs prévus par la loi de l'État Indépendant du Congo.

8. Les lois pénales ainsi que les lois de police et de sûreté publique obligent tous ceux qui se trouvent sur le territoire de l'État.

9. Les lois, les jugements des pays étrangers, les conventions et dispositions privées, ne peuvent en aucun cas avoir d'effet dans l'État Indépendant du Congo en ce qu'ils ont de contraire au droit public de cet État ou à celles de ses lois qui ont en vue l'intérêt social ou la morale publique.

10. Notre Administrateur-Général du Département des Affaires Étrangères, ayant la justice dans ses attributions, est chargé de l'exécution du présent Décret, qui entre en vigueur ce jour.

Donné à Bruxelles, le 20 Février, 1891.

LÉOPOLD.

Par le Roi-Souverain :

EDM. VAN EETVELDE, *Administrateur-Général*
du Département des Affaires Étrangères.

DECREE of the Congo Free State, respecting the Slave Trade.

—Brussels, July 1, 1891.

LÉOPOLD II, Roi des Belges, Souverain de l'État Indépendant du Congo, à tous présents et à venir, salut :

Vu l'Acte Général préparé par la Conférence de Bruxelles du 2 Juillet, 1890,* et spécialement les Articles V, XIX, et LXXXIX de cet Acte ;

Vu les Articles 1 à 6 *bis*, 11 à 13, 62 à 65 du Code Pénal ; l'Article 13 du Décret du 26 Février, 1886, sur les lettres de mer ; le Décret du 12 Avril, 1886,† sur l'extradition, et l'Article 84 du Décret du 29 Avril, 1889, sur la réorganisation de la justice répressive ;

Voulant en outre coordonner et compléter, pour autant que de besoin, la législation pénale existante concernant la répression de la Traite ;

Sur la proposition de notre Conseil des Administrateurs-Généraux et de l'avis de notre Conseil Supérieur ;

* Vol. LXXXII, page 55.

† Vol. LXXVII, page 1014.

Nous avons décrété et décrétons :

Section 1.—*De la Capture des Esclaves.*

ART. 1^{er}. Quiconque aura par violence, ruse, ou menaces capturé une personne quelconque dans un but de Traite ou d'Esclavage sera puni de servitude pénale d'un à cinq ans et d'une amende de 500 fr. à 2,000 fr.

2. La capture d'esclaves opérée en bande et à main armée est punie de mort ou de servitude pénale à perpétuité.

Section 2.—*De la Traite des Esclaves.*

3. Quiconque aura fait une opération de Traite sera puni de servitude pénale de six mois à trois ans et d'une amende de 200 fr. à 2,000 fr.

4. Quiconque aura sciemment et volontairement convoyé ou transporté un ou plusieurs esclaves de capture ou de Traite sera puni de servitude pénale de trois mois à trois ans et d'une amende de 100 fr. à 1,000 fr.

5. Quiconque se livrera habituellement aux opérations prévues aux Articles 3 et 4 sera puni, comme marchand d'esclaves, de cinq à dix ans de servitude pénale et d'une amende de 1,000 fr. à 5,000 fr.

Section 3.—*Des Bailleurs de Fonds pour les Entreprises de Traite.*

6. Quiconque sera intervenu sciemment et volontairement comme bailleur de fonds dans une entreprise ayant pour but la Traite ou les opérations qui fournissent des esclaves à la Traite sera puni comme auteur de l'entreprise.

Section 4.—*Des Recéleurs d'Esclaves de Traite.*

7. Quiconque aura sciemment et volontairement recélé un ou plusieurs esclaves de capture ou de Traite sera puni d'une servitude pénale de trois mois à un an et d'une amende de 100 fr. à 500 fr., ou d'une de ces peines seulement.

Section 5.—*De l'Usurpation de Pavillon pour pratiquer la Traite.*

8. Les peines établies par l'Article 13 du Décret du 26 Février, 1886, contre le Capitaine naviguant sous pavillon de l'État sans lettres de mer régulières, pourront être portées au double du maximum fixé par cet Article si l'usurpation de pavillon a été commise

dans le but de se livrer à la Traite ou à des opérations qui fournissent des esclaves à la Traite.

Section 6.—De l'Association formée dans un but de Traite.

9. Toute association formée dans le but de se livrer à la Traite ou aux opérations qui fournissent des esclaves à la Traite est une infraction qui existe par le seul fait de l'organisation de la bande.

Le Chef de cette bande et tous ceux qui y auront sciemment et volontairement exercé un commandement quelconque seront punis d'un à cinq ans de servitude pénale et d'une amende de 100 fr. à 1,000 fr.

Tous autres individus faisant sciemment et volontairement partie de la bande seront punis d'un mois à deux ans de servitude pénale et d'une amende de 50 fr. à 200 fr.

Section 7.—Des attentats contre les Libérés.

10. Quiconque aura usé de fraude ou de violence pour enlever à un esclave libéré ses lettres d'affranchissement, ou pour le priver de sa liberté, sera considéré comme marchand d'esclaves, et puni des peines établies par l'Article 5.

Section 8.—Des Mutilations d'Adultes et d'Enfants Mâles, et des Tortures Corporelles.

11. Le crime de castration sera puni des peines comminées par l'Article 11, § 2, du Code Pénal, et conformément aux distinctions établies par cet Article.

12. Les tortures corporelles infligées aux esclaves par les auteurs des infractions prévues ci-dessus seront également punies conformément à l'Article 11, § 2, du Code Pénal.

Section 9.—De la Participation aux Crimes et Délits relatifs à la Traite.

13. Sauf disposition particulière établissant d'autres peines, les coauteurs et complices des diverses infractions visées ci-dessus seront punis comme suit :

Les coauteurs, de la peine établie par la loi à l'égard des auteurs ;

Les complices, d'une peine qui ne dépassera pas la moitié de la peine qu'ils auraient encourue s'ils avaient été eux-mêmes auteurs.

Lorsque la peine prévue par la loi est la mort ou la servitude pénale à perpétuité, la peine applicable au complice sera la servitude pénale de dix à vingt ans.

Section 10.—*De la Poursuite et du Jugement des Infractions prévues par le présent Décret.*

14. Par modification à l'Article 84 du Décret du 29 Avril, 1889, sur la réorganisation de la justice répressive, lorsqu'une infraction prévue par le présent Décret sera commise par un indigène au préjudice d'un autre indigène, l'officier du Ministère Public ne pourra abandonner le prévenu à la juridiction effective du chef local et à l'application des coutumes indigènes.

15. Par modification au Décret du 12 Avril, 1886, sur l'extradition, l'étranger appartenant à une des Puissances Signataires de l'Acte Général préparé par la Conférence de Bruxelles, qui aura commis à l'étranger une infraction prévue par le présent Décret et qui sera découvert sur le territoire de l'État, sera mis en état d'arrestation par les autorités nationales investies de ce pouvoir, soit sur communication des pièces de l'instruction de la part des autorités étrangères qui ont constaté l'infraction, soit sur toute autre preuve de culpabilité, et il sera tenu sans autre formalité à la disposition des Tribunaux compétents, suivant les règles admises en matière d'extradition.

16. Le sujet Congolais qui, ayant commis à l'étranger une infraction prévue par le présent Décret, est trouvé sur le territoire de l'État, demeure soumis à la juridiction nationale ; il sera poursuivi et jugé conformément à la loi nationale.

Section 11.—*Du Cautionnement à exiger à raison d'Infractions prévues par l'Acte Général de la Conférence de Bruxelles.*

17. Conformément aux prescriptions de l'Article XIX, § 2, de l'Acte Général préparé par la Conférence de Bruxelles, tout individu qui aura encouru, dans l'État ou hors de l'État, une pénalité à raison d'une infraction prévue par l'Acte Général, sera soumis, avant de pouvoir entreprendre une opération commerciale dans les régions où se pratique la Traite, à l'obligation de fournir un cautionnement dont la base et les conditions seront ultérieurement déterminées par nous.

18. Notre Administrateur-Général du Département des Affaires Étrangères, ayant la justice dans ses attributions, est chargé de l'exécution du présent Décret, qui entre en vigueur ce jour.

Donné à Bruxelles, le 1^{er} Juillet, 1891.

LÉOPOLD.

Par le Roi-Souverain :

EDM. VAN EETVELDE, *Administrateur-Général*
du Département des Affaires Étrangères.

ORDINANCE enacted by the Administrator of British New Guinea with the advice and consent of the Legislative Council thereof, to provide for an Armed Constabulary.

[No. 1.]

[May 20, 1890.]

(L.S.) WM. MACGREGOR.

[Sanctioned by Secretary of State, August 15, 1890.]

BE it enacted by the Administrator of British New Guinea, with the advice and consent of the Legislative Council thereof, as follows:—

1. There shall be in the possession a force to be styled the armed constabulary.

2. Such force shall consist of a Commandant, and of such commissioned officers and non-commissioned officers and constables, to be appointed as hereinafter provided, not exceeding in the whole such number as the Legislative Council may by resolution from time to time determine.

3. The salaries payable to members of the force, the allowance (if any) to be made to them, and the periods for which they shall be respectively engaged when such period is not provided by this Ordinance, and the total sum to be from time to time expended on the force, shall be fixed by the Administrator, subject to confirmation by resolution of the Legislative Council.

4. It shall be lawful for the Administrator in Council to make rules and regulations for the government and discipline of the force, and for the construction, ordering, and management of quarters, cells, and lock-up rooms, and to add to, alter, or amend such rules and regulations as occasion may require. Such rules and regulations may impose penalties not to exceed a fine of 10*l.*, or imprisonment not to exceed three months, with or without hard labour, for the breach of any of them. All such rules and regulations shall be laid before the Legislative Council, and shall be subject to disallowance by Her Majesty.

5. The Commandant may be appointed a resident Magistrate of the possession, and shall, if he be so appointed, have as such Magistrate, throughout the possession, all the powers and authority that any resident Magistrate has in any part of the possession. But the Administrator may from time to time exempt any portion of the possession from the jurisdiction of the Commandant as a resident Magistrate.

6. When any member of the force ceases for any reason to be a member thereof all authority vested in him as a member of the force, and any appointment conferred upon him in his capacity of

a member of the force, and any office held by him in his capacity of a member of the force, shall cease and determine. And any person that has been a member of the force, and that has ceased to be one, that shall not on his so ceasing to be a member of the force deliver up his arms, clothing, accoutrements, and all other property in his possession belonging to the Crown, shall, on conviction in a summary manner, be liable to a penalty not exceeding 20*l.*, and in default of payment to be imprisoned for any period not exceeding three months.

7. Any member of the force that shall receive or take any fee or gratuity, pecuniary or otherwise, either directly or indirectly, except as hereinafter provided, or that shall aid, assist, abet, or connive at the escape, or at any attempt or preparation to escape, of or by any prisoner or person in custody or under arrest, or that shall desert his post, or assault his superior officer, shall for every such offence, on conviction in a summary manner, be liable to a penalty not exceeding 20*l.*, and in default of payment to be imprisoned for any period not exceeding three months, with or without hard labour.

8. No member of the force shall without the consent in writing of the Commandant leave the force unless he shall have served the term of his engagement. Any member of the force offending against the provisions of this section shall, on conviction in a summary manner, be liable to a penalty not exceeding 20*l.*, and in default of payment to be imprisoned for any period not exceeding three months, with or without hard labour.

9. Any member of the force that shall disobey the lawful commands of his superior officer shall, on conviction in a summary manner, if a commissioned officer, be liable to be dismissed the force by order of the Administrator, and if a non-commissioned officer or constable, be liable, on conviction in a summary manner, to be imprisoned for any period not exceeding one month nor less than two days, with or without hard labour.

10. Any non-commissioned officer or constable who, without leave from his superior officer, shall absent himself from duty, shall, on conviction in a summary manner, be liable to be imprisoned for any period not exceeding three months.

11. Any commissioned officer or constable who, being under arrest or imprisonment, shall leave or escape from his confinement before he is set at liberty, or who shall wilfully or without reasonable cause or excuse fail to appear at any place of parade or rendezvous appointed by his superior officer, or who shall go from such place without leave before he shall be relieved, or who shall, when any person has been committed to his charge, wilfully or without reasonable cause or excuse fail to report that such person has been

committed to his charge, shall, on conviction in a summary manner, if a commissioned officer, be liable to be dismissed the force by order of the Administrator, and if a non-commissioned officer be liable to be reduced to the rank of a constable by order of the Commandant, and also, on conviction in a summary manner, to be imprisoned for any period not exceeding two months, and if a constable be liable, on conviction in a summary manner, to be imprisoned for any period not exceeding two months, or be liable to be dismissed the force by order of the Commandant.

12. Any non-commissioned officer or constable who shall malingering, or feign or wilfully produce in himself any disease or infirmity, shall, on conviction in a summary manner, be liable to be imprisoned for any period not exceeding thirty days, with or without hard labour.

13. It shall be lawful for any commissioned officer of the force to suspend any non-commissioned officer or constable for misconduct, and report such suspension to the Commandant, who may, if he thinks fit, direct that any part of the pay of such non-commissioned officer or constable shall be detained. The Commandant may also in the first instance, and although there has been no suspension by another officer, exercise the like powers. Every detention of pay under this section shall be forthwith reported by the Commandant to the Administrator, who may confirm, reverse, or vary the order of the Commandant, and may, in addition, order that all or any portion of any pay so detained as aforesaid shall be forfeited.

14. In cases of petty breaches of discipline, the commissioned or non-commissioned officer for the time being in charge of any station or any portion of the force may himself inflict a penalty not exceeding fourteen days' confinement to quarters, or forty-eight hours' imprisonment.

15. In every case in which a member of the force shall be imprisoned, all pay accruing to him during his imprisonment shall be liable to be forfeited by order of the Administrator.

16. In addition to any punishment that may be imposed under this Ordinance upon any member of the force, the Court may order that a portion of the offender's pay shall be stopped and forfeited to make good any loss or damage to any property whatever occasioned by the act or neglect constituting the offence of which he has been convicted, or any expense incurred by reason of such act or neglect. And in addition to all other punishments, any non-commissioned officer convicted of any offence against this Ordinance may be reduced to the rank of a constable by the Commandant.

17. All fines and penalties imposed upon any member of the force under this Ordinance may, in addition to any mode of recovery

allowed by law, be deducted from his pay by the Commandant, who shall pay over all sums so deducted to the proper officer for the use of the possession.

18. Every member of the force shall have the same protection and indemnities in the discharge of his duty as any constable or police officer in Queensland has by the law of that Colony.

19. The Administrator may grant rewards and gratuities to any member of the force whom he may deem deserving of the same, and any money so granted shall be paid out of the funds of the possession.

20. The members of the force shall execute all process and serve all summonses and warrants that may be sent to them to be executed or served by any Court of the possession. The members of the force shall also be bound to perform within the possession all the duties and functions that police officers and constables in the Colony of Queensland are liable and bound, as such police officers or constables, to perform in that Colony; but no member of the force shall be responsible for any irregularity in the issuing of any process, warrant, or summons, or for want of jurisdiction in the Court or person issuing the same.

21. Any person that shall assault, obstruct, or interfere with any member of the force in the execution of his duty, or that shall not assist any member of the force in the execution of his duty when called upon by such member so to do, and any person that shall induce or attempt to induce any member of the force to neglect or omit to perform any duty, shall, on conviction in a summary manner, be liable to a penalty not exceeding 20*l.*, and, in default of payment, to be imprisoned, with or without hard labour, for any period not exceeding three months.

22. Any person, not being a member of the force, that shall, without a proper excuse, have in his possession any arm, accoutrement, badge, or any uniform or part of a uniform of any member of the force, or that shall assume the description or designation of, or falsely pretend or represent himself to be, a member of the force, shall, on conviction in a summary manner, be liable to a penalty not exceeding 20*l.*, and, in default of payment, to be imprisoned for any period not exceeding three months with or without hard labour.

23. In the event of the number of men fixed by resolution of the Legislative Council as that of the number of the force not being obtained by voluntary engagement, every male aboriginal native of the possession who is of sound bodily constitution, and who is, so far as can be ascertained by the person appointed to enrol such native a member of the force, between the ages of 17 and 40, both ages inclusive, and unmarried, shall be liable to be

enrolled as a member of the force. Due regard shall, in compelling enrolment as aforesaid, be had that not more than a reasonable proportion of men be enrolled from any one district. Provided always that the Administrator may from time to time exempt the inhabitants of any specified portion of the possession, or any person engaged in any specified occupation or specified calling, from the operation of this section.

24. Every person enrolled in the force under the last preceding section shall be enrolled for not more than three years, nor for less than one year, and shall, unless legally discharged or dismissed from the force, be obliged to serve as a member of the force for the period for which he has been enrolled, and no person so enrolled shall be liable to a second term of service.

25. Every enrolment, whether voluntary or compulsory, shall be conducted in such manner as the Administrator may from time to time direct.

26. A book to be called the "Roll Book of the Armed Constabulary" shall be provided and kept in the custody of the Commandant. The name of every member of the force, and such other particulars as the Administrator shall from time to time direct, shall be inserted in such book, and each member of the force shall be bound to sign, by signature or mark, his name in such book in that place in the book in which he shall be required to do so, and every such signature or mark shall be witnessed by some person that can read and write English. The production of such book, or an extract therefrom certified under the hand of a resident Magistrate, shall be *prima facie* evidence of the truth of the contents of such book or extract, as the case may be.

27. A badge or other distinguishing mark or article may be provided for members of the force; and any person that shall wear or bear about him such distinguishing badge, mark, or article shall, until the contrary be proved, be deemed a member of the force, and be treated and obeyed by all persons accordingly.

28. Nothing in this Ordinance contained shall be deemed as preventing the Commandant from being suspended or dismissed in the same way that any other officer in the service of the possession may be suspended or dismissed, or as absolving the Commandant from the duty of obeying any proper order that he may receive from any superior officer in the service of the possession.

29. All offences against this Ordinance, and all matters to be decided by conviction in a summary manner, may be heard and determined by the Commandant in his capacity as a resident Magistrate, if he has been appointed as such, or by any resident Magistrate having jurisdiction, or by any two or more Justices of the Peace having jurisdiction: Provided always that where there are difficulties

in the way of bringing members of the force before a resident Magistrate or Justices of the Peace, the Administrator may appoint any person or persons to hear and determine offences against the provisions of this Ordinance by any member of the force; and for the purpose of hearing and determining such offence, and of carrying any sentence imposed therefor into execution, such person or persons so appointed shall, by virtue of such appointment, and without taking any oath of allegiance or of office, be clothed with all the powers and authority of a resident Magistrate in offences punishable on summary conviction.

30. This Ordinance may be cited for all purposes as "The Armed Constabulary Ordinance of 1890."

Passed in Council, this 20th day of May, 1890.

*CORRESPONDENCE respecting Affairs in the East (Serbo-Bulgarian Relations; Montenegrin Immigration to Servia; Ex-Queen Nathalie of Servia; Prince Ferdinand's action; Bulgarian Loan; Major Panitza's Conspiracy; Bulgarian Debt to Russia; Brigands on Greek Frontier; Alleged Massacres of Christians; Ecclesiastical Grievances in Macedonia, &c.; Bulgarian Bishops; Berats; Greek Church; &c.).**—1889, 1890.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received September 6.)

(Extract.)

Belgrade, August 31, 1889.

THE present unusual activity in the Servian War Department, to which the public seemed to attach exaggerated importance, and which I endeavoured to explain in my despatch to your Lordship of the 5th insttant to be only a measure resorted to by every continental country, though neglected during the past three years, has not unnaturally, after their experiences of 1885, caused the Bulgarians to take alarm, and induced them to adopt such counter-measures as are deemed necessary to guard against another surprise.

These precautions in Bulgaria have, in turn, had for effect so to alarm the Servians that it is difficult now to tell which Government is most afraid of the other, while each, I verily believe, is unaffectedly anxious to remain at peace with its neighbour.

* This correspondence is extracted from Parliamentary Papers, Turkey, No. 2 and No. 3 of 1891.

It is doubtless, therefore, with a view to allay this feeling of alarm, and in order to avoid injury to Servian credit in foreign money markets (a danger which I have never ceased on every suitable occasion from pointing out to Servian statesmen), that the Minister of the Interior recently addressed to every Prefect a copy of the inclosed Circular, purporting to show that the steps now taken by the War Department, with regard to the reserve forces, are strictly in accordance with an existing law, and that, therefore, all rumour to the contrary and of their alleged bellicose character is invented and propagated by political opponents.

The Marquess of Salisbury.

F. R. ST. JOHN.

(Inclosure 1.)—*Circular of the Minister of the Interior to the Prefects*
—Belgrade, August $\frac{1}{2}$, 1889.

(Traduction.)

M. LE PRÉFET,

LA loi sur l'organisation militaire prescrit que les soldats de tous les appels (bans) soient convoqués tous les ans pour une certaine période d'exercice déterminée par la loi. Mais cette prescription de la loi, qui est non seulement très nécessaire mais encore très utile, n'a pas été exécuté dans les trois dernières années, de sorte que les milices nationales n'ont pas été convoquées pour l'exercice.

Afin que cette prescription de la loi puisse être exécutée conformément à la loi sur l'organisation de l'armée, et pour que les anciennes listes tombées en désuétude à la suite de la longue non-convocation et de l'inobservation régulière de leur contenu puissent être corrigées et complétées, le Ministre de la Guerre se conformant à la loi sur l'organisation de l'armée a ordonné que tous ceux qui sont obligés au service militaire soient convoqués devant les autorités compétentes, que les listes militaires soient corrigées et complétées, et que l'on détermine, à tous, les services qu'ils doivent remplir suivant la loi.

Des gens inconscients et des spéculateurs politiques ont essayé au détriment de la paix et de la tranquillité publique à exploiter dans un but inavouable l'exécution de ces prescriptions de la loi, en colportant dans les peuples la nouvelle mensongère d'une guerre imaginaire, troublant et ébranlant ainsi la population dans ses travaux réguliers comme dans ses devoirs envers l'État.

Appelé à me préoccuper de la tranquillité publique et de démentir tous les bruits qui seraient de nature à troubler cette tranquillité, tout en produisant une influence préjudiciable sur les affaires sociales et celles de l'État, je vous recommande, M. le Préfet, d'agir immédiatement avec toute la sévérité de la loi envers

ces inconscients et ces spéculateurs politiques, et d'exposer aux habitants de votre circonscription que dans le colportage de ces nouvelles il n'y a pas la moindre vérité.

Belgrade, le 1^{er} Août, 1889.

K. S. TAUSCHANOVITCH, *Ministre de l'Intérieur.*

(Inclosure 2.)—*Servian Army Organization Law.*

(Traduction.)

ARTICLE 93. Les réservistes doivent être répartis pour l'exercice militaire avec leurs cadres permanents en unités de formation séparés, et ils doivent subir une période d'exercice, chaque année, pendant trente jours au plus. La seconde levée doit être convoquée chaque année pour une période d'exercice de quinze jours au plus.

Mr. O'Connor to the Marquess of Salisbury.—(Received September 6.)

MY LORD,

Sophia, September 2, 1889.

I HAVE the honour to report to your Lordship the following items of military news:—

In accordance with the new military Law on recruitment, which will be submitted to the approval of the Sobranje next October, the Bulgarian Government have called up the recruits, who usually only join the ranks at the end of December or beginning of January, for the 6th proximo. They amount to about 18,000.

By the adoption of this measure these recruits will have had six months' military training by the beginning of next spring, instead of being a raw and almost worthless body of men.

It is also proposed to retain the time-expired soldiers in the ranks, who are usually discharged next month, till the end of the year, thus raising the existing military force to about 50,000.

The Government have ordered 33,000 Berdan rifles and 10,000,000 cartridges. The rifles are to be delivered by the 1st November, and the contract has been taken by a Bulgarian, a Frenchman, and a Belgian. They declare they can procure the rifles in Russia through the intermediary of a Belgian house.

Preparations are being made for mobilization in as short a time as possible in case of necessity; but no branch of the army has been actually mobilized, nor have troops been moved to the Servian frontier, as stated in the papers.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received September 6.)

MY LORD,

Sophia, September 2, 1889.

WITH reference to previous correspondence, I have the honour to report to your Lordship that M. Stamboloff states that he continues to receive very disquieting news respecting the various military measures of the Servian Government with a view to placing their army on a war footing.

He regards the calling out of the whole reserve forces of the country, the purchase of provisions and forage, the reorganization of the transport service, the repairing of the roads leading to the Bulgarian frontier, coupled with the violent articles of the Servian press against this country, as so many indications that Serbia is certainly preparing for war, and that she is probably being urged to engage in hostile action against Bulgaria.

He has referred on several occasions to the disquieting news he continually received on this subject from Serbia, and on each occasion I have endeavoured to assure him that his fears were not shared by those who were scarcely less interested in the maintenance of peace and good relations between the two neighbouring countries; and I have sought to impress upon him the extreme importance of not aggravating the situation by responsive military measures which would be interpreted in Serbia as aggressive, while at the same time pointing out that it was difficult to believe that a nation seriously meditating war would adopt the military system now being introduced into Serbia.

M. Stamboloff says he is convinced that Serbia had intended to attack them if they had declared their independence on the 14th ultimo, and that the Servians counted upon success by throwing an overwhelming force into Bulgaria and seizing the capital before there was time to mobilize the Bulgarian army.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received September 6.)

MY LORD,

Sophia, September 2, 1889.

WITH reference to my immediately preceding despatch, I have the honour to inform your Lordship that M. Stamboloff told me yesterday that M. Body, the Acting Servian Agent, had called upon him and had made the following communication under instructions from his Government:—

The Servian Government gives the Bulgarian Government the most formal and categorical assurances that the reports lately

circulated of hostile or aggressive intentions towards us unfounded; that the calling up of the Reserves and other measures are being taken solely with a view to the formation of a national militia in accordance with the Ministry's policy, and that if the Bulgarians think it advisable to take such a step is certainly not necessary as far as Serbia is concerned and must be directed against some other Power.

M. Stamboloff informed M. Body that he received with satisfaction the assurances conveyed to him on behalf of the Government.

I have, &c.

The Marquess of Salisbury.

*Mr. F. R. St. John to the Marquess of Salisbury
(September 6.)*

MY LORD,

Belgrade

At the weekly reception on Saturday last I called on General Gruitch, the President of the Council of Foreign Affairs, at the Serbo-Bulgarian news-press, where is now waged between the two countries, who, in their true interests, would rather endeavour to reach a point of perfect agreement and consequent peace, than out their destiny and independence; and I was struck by the great odium which, in the present time, is being surely incurred by that country which should be the guardian of public peace.

General Gruitch replied that he was well satisfied that the point for the prosperity of Serbia was the preservation of friendly relations with Bulgaria and other Balkan States. An assurance in such sense had only a few hours been patched to Sophia.

I have,

The Marquess of Salisbury.

*Mr. F. R. St. John to the Marquess of Salisbury
(September 6.)*

MY LORD,

Belgrade

THE long-expected reply from the ex-Queen to her from hence, with the ex-King's consent, that they have access to the Palace in Belgrade if the ex-King took place at stated times and for limited periods, has been received here, and I was informed to-day by the General of the Department for Foreign Affairs that it would be received, Queen Nathalie having re-

1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

the system is not available.

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of the document. The title is "The first part of the document is a title page." The author's name is "The author's name is the name of the person who wrote the document." The date of the document is "The date of the document is the date when the document was written." The title page is the first page of the document and it contains the title, author's name, and date of the document.

...to my knowledge of...
...to submit a...
...President of the Council...
...the rising...
...opportunity that...
...to calibrate the...
...and Bulgaria in...
...of a leading...
...appeared yesterday in the...
...forward upon...
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...and every one in...
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...the Balkan countries.

...a diplomatic Agent of Serbia, made it clear that
the act of calling out of the Reserves in Serbia was
not that an existing Law on military organization
issued by the Serbian Minister of the Interior's
... as the Serbian Cabinet declares the Law
... the most friendly footing with all Balkan States.
... and Nigeria need not, unless the other reasons

These explanations of our fight with
and hastened, on the side, to give the
Government of Bulgaria does not understand
the manner from that possible point. Digitized by Google

has traced out for itself, not only in regard to Servia, but every other country, and that certain orders for arms and war material were only given with a view to satisfying normal requirements.

"We take note with satisfaction of the favourable impression produced by this interchange of loyal and sincere assurances between the two Governments, and we doubt not that these will lead to a strengthening of the existing bonds of union between the two countries, as well as to the removal, for the future, of all possibility of misunderstanding."

The Marquess of Salisbury.

F. R. ST. JOHN.

The Marquess of Salisbury to Mr. F. R. St. John.

SIR,

Foreign Office, September 10, 1889.

YOUR despatch of the 3rd instant, in which you report a conversation with General Gruitch on the 30th ultimo, has been received at this Office; and I have to state to you that I approve the language which you held to his Excellency as to the necessity of maintaining peaceable relations with Bulgaria.

I am, &c.,

F. R. St. John, Esq.

SALISBURY.

Mr. O'Connor to the Marquess of Salisbury.—(Received by telegraph, September 11.)

MY LORD,

Sophia, September 11, 1889.

I HAVE the honour to report to your Lordship that a few days ago a printed manifesto was issued by a group of members of the Zankoffist party, reminding Bulgarians that to-day being the "Fête Onomastique" of the Liberator Czar Alexander the Second, it behoved them to solemnize the occasion by Church services throughout the country; moreover, the Municipality of Samara in Russia having the intention to unveil on that day a memorial statue to the memory of the late Czar, one of the groups on which represented "Bulgaria" in the chains of slavery praying to Heaven for deliverance, and thus impersonating the idea of the liberation of all Slavs, it was a sacred duty for all the Municipalities of Bulgaria to send congratulatory messages to the Mayor of Samara, especially as that town had at the commencement of the late Russo-Turkish war presented the Bulgarian Legionaries with a flag, still preserved in the Palace at Sophia.

This Proclamation, signed by a certain P. Stanchoff, was widely circulated, and would no doubt have produced a manifestation, but

that the Government decided upon taking prompt measures to prevent such an occurrence. Accordingly, the ten leaders of the movement were last night arrested and detained in custody until this afternoon, when, there being no longer any reason to apprehend disturbances, they were released.

Notwithstanding these steps on the part of the Government, I understand that a number of Zankoffists formed a procession, which proceeded to the Russian memorial obelisk situated at the entrance to the town, where they deposited a wreath of flowers. This was, however, at once removed by the police, who had followed the procession, and no further incident took place.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

The Marquess of Salisbury to Mr. O'Conor.

SIR,

Foreign Office, September 12, 1889.

IN your despatch of the 2nd instant you state that M. Stamboloff has referred on several occasions to the military preparations in Servia, and that you have constantly endeavoured to reassure his Excellency by pointing out to him that his fears are not shared by other interested parties, and that the very nature of the new military system in Servia renders it improbable that serious operations are contemplated.

I approve the language which you have employed and the efforts you have made to deter the Bulgarian Government from taking any action which might appear aggressive towards Servia.

I am, &c.,

N. R. O'Conor, Esq.

SALISBURY.

Mr. O'Conor to the Marquess of Salisbury.—(Received September 16.)

MY LORD,

Sophia, September 12, 1889.

So much excitement has been caused throughout the country by the hurried calling up of the Reserves, reported in my despatch of the 6th instant, that I do not like to pass over in complete silence the various rumours which reach me from Philippopoli, or are current here.

From Philippopoli I hear that the extraordinary haste and energy with which the mobilization was effected at a particularly inconvenient season, the purchase of horses in large numbers and at high prices, the calling out of civilian doctors as military surgeons, the getting ready of ambulances, and the general lavish expenditure of money

as if for an immediate campaign, have given rise to a general belief that some serious political movement is on foot, or that the country is in danger of an attack from Serbia.

Those of the former opinion maintain that the Reservists have been convoked in order to cover a movement in favour of a declaration of independence on the 18th instant, the anniversary of the union with Eastern Roumelia, that shall appear as the irresistible current of public opinion, against which the Government cannot struggle.

In Sophia, the danger of a sudden attack from Serbia, whose military preparations are viewed with unfeigned distrust, is still a source of great anxiety to the Government. Reports are constantly received of the concentration of troops towards the Bulgarian frontier, the retention in the ranks of Reservists whose time has expired, the transmission of arms by the Russian Danube Steamship Company, and the efforts of well-known Pan Slavists and Bulgarian refugees to embark Serbia in perilous enterprises against this country.

With regard to the reports respecting the Proclamation of Independence, I feel morally certain that they are without serious foundation, and merely the result of an excited state of public feeling, provoked in great measure by the hasty and injudicious manner in which the Reserves were called up. I am also convinced that, without the approval and co-operation of M. Stamboloff, no movement of the sort is under present circumstances possible; and I have received from his Excellency within the last two days the most formal and categorical denial of these reports. The Opposition has undoubtedly helped to propagate and magnify them for its own purposes.

If the Servian Government continues to keep under arms the various classes of Reservists beyond the normal period, while at the same time calling up others, I fear the Bulgarians will think themselves constrained to mobilize the army in the military districts adjoining the Servian frontier—a step which, as your Lordship is already aware, they have recently refrained from taking solely on political grounds.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received September 20.)

MY LORD,

Belgrade, September 16, 1889.

I QUESTIONED to-day the Minister for Foreign Affairs as to the reports in the newspapers of the expected arrival in this country of

a large number of Montenegrin families, and I asked whether the political importance attached in some quarters to the event was in any way justified.

His Excellency replied that this question (which I learnt in another quarter to have been the real object of the Prince of Montenegro's visit to St. Petersburg, with a view to obtaining the Czar's assistance) had been first broached by His Highness in conversation with the Representative of Serbia in Russia, and subsequently embodied in a formal request from Cetinje that the Servian Government would allow some hundreds of families to settle in Serbia for the coming winter only, and thus diminish the number of those whom it will be necessary to relieve at home.

Past experience has, however, not encouraged the Servian Government to lend a willing ear to such schemes, and I understood General Gruitch to say, that however much he and his colleagues deplored the dismal outlook in Montenegro, it was impossible, in presence of a poor harvest in Serbia, to throw such an additional burden on the country as the maintenance, possibly of thousands, of destitute Montenegrin families would involve; but, continued his Excellency, if the Government of Montenegro will undertake to send only adults, able to work for their living, the Government of Serbia, who have plenty of spare land, will place some of it at the disposal of any such able-bodied immigrants as may be willing to settle permanently and adopt Servian nationality.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Sir W. White to the Marquess of Salisbury.—(Received by telegraph, September 23.)

(Extract.)

Therapia, September 22, 1889.

VARIOUS reports have been circulated here on the subject of the intentions of Bulgaria, and these have naturally produced a fear that some precipitate action may be taken at Sophia.

To avoid such a contingency, the Ottoman Government has had under consideration several projects with a view to establish more correct relations between the vassal Principality and the Suzerain Power, but none of them have as yet got so far as to insure adoption by the Porte, and it is much more likely that the policy of hesitation will go on for some time yet, and that nothing definite will be decided upon.

The Marquess of Salisbury.

W. A. WHITE.

Vice-Consul Lamb to the Marquess of Salisbury.—(Received September 30.)

MY LORD,

Cettinje, September 23, 1889.

I HAVE the honour to inclose herewith translation of an article published in the "Correspondance Balcanique" of Belgrade and reproduced in yesterday's issue of the "Glas Tzernagortza," relative to the emigration of pauper Montenegrins into Servia.

Considering that two years ago, under exactly similar circumstances, the Servian Government of that day sternly closed its frontier to the starving Montenegrin immigrants and threw them back upon the charity of the Austrian authorities in the occupied provinces, the "praiseworthy alacrity" with which the present Rulers of Servia have recognized "how deeply the nation sympathizes with the distress from which its brethren in Montenegro are suffering," and "impelled by the sentiment of unity which binds the two States" have "discharged a national duty" in assigning lands to the new-comers, is highly significant of the changed relations resulting from the accession of the Radicals to power.

I have, &c.,

The Marquess of Salisbury.

HARRY H. LAMB.

(Inclosure.)—Extract from the "Glas Tzernagortza" of September 11, 1889.

(Translation.)

THE "Correspondance Balcanique," of Belgrade, which is thought to be the semi-official organ of the present Government of Servia, contains the following article in its impression of the 1st 15th September:—

The dearth prevailing in Montenegro has obliged the authorities in Cettinje to address themselves to our Government with the request that it would permit a certain number of the very poorest Montenegrin families to immigrate into Servia.

The Servian Government, well knowing how deeply the nation sympathizes with the distress from which our brethren in Montenegro are suffering, and impelled by the sentiment of unity which binds the two States, hastened to reply that it was ready to satisfy, to the fullest possible extent, the wishes expressed by the Government of the Principality.

It immediately took the necessary measures, and has arranged all the details of the immigration, designating the locality for the settlement, selecting the lands, &c.

In manifesting this praiseworthy alacrity, our Government has discharged a national duty. The Montenegrins will, no doubt, demonstrate their satisfaction at this fresh confirmation of friend-

ship, and we are convinced that by this means the cordial relations existing between the two States will become, if that be possible, yet more intimate. We trust, moreover, that this proof of unity, which the Belgrade Government has given, will bring forth good fruit in every Serb land, and strengthen the feeling that all Serbs ought to hold out the hand to one another to protect each other from all trouble and oppression, and that no person on earth is able to arouse strife and discord within the Serb nation.

Mr. O'Conor to the Marquess of Salisbury.—(Received October 4.)

MY LORD,

Sophia, September 28, 1889.

I HAVE the honour to report to your Lordship that M. Stamboloff lately told me that he had received very satisfactory assurances from M. Djuvara, the Roumanian Agent and Consul-General here, who had just returned from Bucharest; as to the friendly policy of the Roumanian Government towards this country, as well as towards the existing régime. These assurances, M. Stamboloff said, gave him especial satisfaction, inasmuch as they coincided with the reports which he had himself received from Bucharest, and were supported by the desire of the Roumanian Government to conclude a Commercial Convention. On his part, he would endeavour to draw closer the ties of amity and good-feeling between the two countries, who had no rival interest, and whose political existence was threatened by a common danger.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received October 4.)

(Extract.)

Belgrade, September 30, 1889.

I HAVE the honour to report the arrival here yesterday, at 4 o'clock in the afternoon, of ex-Queen Nathalie of Servia.

The day being Sunday, and the weather very fine, Her Majesty's special steamer, as it slowly ascended the Danube, was long watched from the eastern slope of the town by a vast multitude, who, on the vessel rounding the point at the junction of the two rivers, proceeded in large masses down the opposite slope which leads to the landing-place on the Save and faces west.

Here it was observed that no one representing the Government was present, but that a private carriage awaited with a coachman and footman dressed in Court livery for the occasion; and I am told

that since the late Prince Michael's return from Constantinople in 1867, after obtaining the Sultan's surrender of the Fortress of Belgrade, no such ovation has been witnessed here as that which has just been offered to Queen Nathalie.

When the carriage, accompanied by a vast crowd, was slowly ascending the steep hill which leads to the main street running along the whole length of the town, a short stoppage was made in front of the Cathedral, as though it had been intended that the Queen should enter; but after apparently a consultation, during which the people were getting every moment more excited, the carriage proceeded, with some difficulty, to the top, where, by starting off at full trot, it shook them off, rapidly passed in front of the Palace gates, which were closed, and thus enabled the Queen to reach her small suburban residence almost alone.

*Mr. F. R. St. John to the Marquess of Salisbury.—(Received
October 4.)*

MY LORD,

Belgrade, October 1, 1889.

I HAVE the honour to report that the general election of members to the Skuptchina, which is to open on the 13th instant, has just terminated in the unprecedented success to the Radicals of 102 out of a total Chamber of 117, thus leaving only 15 votes to the Liberals, and the Progressist party entirely unrepresented.

I am informed that on no previous occasion in Servia has a general election been conducted so fairly by those at the time in power, and never before has such an occurrence been marked by a like absence of disorder.

I have, &c.,

The Marquess of Salisbury.

F. R. ST JOHN.

*Mr. F. R. St. John to the Marquess of Salisbury.—(Received
October 4.)*

(Extract.)

Belgrade, October 1, 1889.

I HAVE the honour to state, in continuation of my despatch of yesterday's date, that I called to-day at the Department of Foreign Affairs, but only learnt that the Minister was attending a Cabinet Council, and the Secretary-General of the Department was absent in consequence of illness.

It appears certain, however, that Queen Nathalie has not yet been permitted either to enter the Palace or to receive a visit from her son, for the reason that she has up to now declined to accept the conditions imposed by King Milan, in virtue of his alleged constitutional rights as guardian, that neither parent should visit

the young King at Belgrade for longer than three weeks twice a-year.

The Marquess of Salisbury.

F. R. ST. JOHN.

Sir R. Morier to the Marquess of Salisbury.—(Received October 7.)

MY LORD,

St. Petersburg, October 2, 1889.

IN the absence of M. de Giers, the Corps Diplomatique was received this day by M. Vlangaly.

IN the course of conversation I asked his Excellency what truth there was in the newspaper reports of a Turkish Circular with reference to Bulgaria which had been very summarily put a stop to by M. Nélidow.

HIS Excellency said he believed, though, as he had not received any recent reports from the Embassy at Constantinople, he had no details, that the state of the case was something of this kind:—

THE Sultan had been advised (his Excellency did not say by whom) to clear up the Bulgarian situation by recognizing Prince Ferdinand, and it had been pointed out to him on the Russian side that as, by the Treaty of Berlin, the consent of all the Powers was required to give a legal status to the Ruler of Bulgaria, and as Russia never would give that consent to Prince Ferdinand, recognition by the Porte, or any other Power or Powers, would leave the illegal status just where it was, and only aggravate the political confusion. Under no conceivable circumstances would Russia ever recognize Prince Ferdinand.

I have, &c.,

The Marquess of Salisbury.

R. B. D. MORIER.

Mr. O'Connor to the Marquess of Salisbury.—(Received by telegraph, October 9.)

MY LORD,

Sophia, October 9, 1889.

I HAVE the honour to transmit herewith to your Lordship a translation of a Proclamation, dated the 8th instant, announcing that His Royal Highness, being about to leave the country for a short period, appoints M. Stamboloff his Lieutenant, and invests him with the government of the country during his absence.

HIS Royal Highness left so suddenly by the Orient express on the same day that the Proclamation was only published the following afternoon.

HIS Royal Highness is expected back on the 24th instant, so as to be here for the opening of the Sobranjé on the 27th instant.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONNOR.

(Inclosure.)—*Proclamation by Prince Ferdinand of Bulgaria.*—
Belgrade, ^{September 26}_{October 8}, 1889.

(Translation.)

Proclamation to our beloved people.

As we are proceeding for a few days beyond the boundaries of our Principality, with a view to meeting our most august mother, Her Royal Highness the Princess Clementine of Saxe-Coburg-Gotha, and certain near relations of ours, in accordance with Article 19 of the Constitution we appoint as our Lieutenant, and invest with the government of the country during our absence, our Minister of the Interior and President of the Council of Ministers, M. S. Stamboloff, and hereby inform our beloved people of the same.

Given at our Court at Sophia, this ^{26th September}_{8th October}, 1889.

FERDINAND.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received
 October 18.)

MY LORD, *Belgrade, October 18, 1889.*

GENERAL GRUITCH informed me yesterday, at his weekly reception, that King Alexander had on that day visited his mother, by permission of his father, and that His Majesty had remained two whole hours, of which one was spent quite alone with his mother.

I understood General Gruitch to say that the permission thus given by the ex-King was for this one visit only, but that he thought if the ex-Queen abstained from interfering either in politics or in the education of the young King, such permission would be often renewed.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received October 18.)

MY LORD, *Sophia, October 14, 1889.*

THE extreme secrecy observed with regard to Prince Ferdinand's intention of leaving Sophia on the 8th instant on a visit to his family not unnaturally encouraged the activity of the Zankoff party in spreading false reports on the subject, which have been loudly re-echoed by the political refugees congregated in Servia. Deceived by these rumours, M. D. Zankoff has just written to M. Stamboloff, advising him to take advantage of Prince Ferdinand's absence from the country to make terms with Russia, and urging upon his Excellency the advisability of giving in his adherence to the Russian programme indirectly communicated to the Government early in 1888, the principal conditions of which were :—

1. The deposition or withdrawal of Prince Ferdinand.
2. The sending of a deputation to St. Petersburg as an *amende honorable*.
3. The renewal of friendly diplomatic relations with Russia.
4. The dissolution of the present Sobranjé and the election of a new Chamber, which should elect a new candidate for the throne, not of the Roman Catholic religion.

M. D. Zankoff requests, at the same time, permission to return to Bulgaria: but I understand M. Stamboloff does not propose to return any answer to M. Zankoff's communication.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received October 18.)

(Extract.)

Sophia, October 14, 1889.

I HAVE just learnt that M. Sallabashoff, the Minister of Finance, has concluded a loan of 1,000,000*l.* (25,000,000 fr.) with the Länder Bank of Vienna, upon the following conditions:—

Issue price 85, with 6 per cent. interest and 1 per cent. sinking fund; 400,000*l.* (10,000,000 fr.) to be paid over at once, and the remainder in sums of 200,000*l.* (5,000,000 fr.) at intervals of six months at the option of the Bulgarian Government.

These conditions are, in fact, very similar to those mentioned in the agreement between the Bulgarian Government and Mr. Clergue.

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received October 18.)

MY LORD,

Sophia, October 15, 1889.

WITH reference to my despatch of the 2nd September, in which I informed your Lordship that the Bulgarian Government had ordered 33,000 Berdan rifles from a financial Syndicate, I have now the honour to state that the contractors have declared their inability to make delivery on the 1st November, and have applied for a prolongation of the term to the 1st January.

Suspecting that the Syndicate, owing to political considerations, will be unable to deliver the rifles at the later date, the Bulgarian Government have denounced the contract, and confiscated the caution-money of 1,600*l.* (40,000 fr.) deposited in due fulfilment of the contract: 5,000,000 Berdan cartridges are, however, already on their way to Sophia from Austria, so that the Government will at

any rate have sufficient cartridges for the Berdan rifles already in their possession.

I understand that the present idea is to purchase 100,000 rifles in Austria, of the Männlicher system, 11 millim., and that advantageous conditions of purchase have been proposed by the manufacturers.

I will report to your Lordship in due course the result of the present negotiations.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Sir A. Paget to the Marquess of Salisbury.—(Received October 25.)

MY LORD,

Vienna, October 23, 1889.

COUNT KÁLNOKY, whom I saw yesterday at his usual weekly reception, told me he had every reason to be satisfied with his conversation with the Roumanian Minister for Foreign Affairs, who has lately paid a visit to Vienna.

Without entering into particulars of their interviews, his Excellency informed me that everything that had been said by M. Lahovary respecting the policy of the present Roumanian Cabinet had been perfectly correct; the general purport of it being that, although there had been a change of Government, there had been no change of policy; that the Catargi Cabinet would continue to govern the country in the interest of Roumania itself; that it was their anxious wish and firm determination to cultivate the most friendly understanding with this Empire, and to uphold the independence of their country in regard to its foreign relations, in which wish and determination they had the hearty support of the great majority of their countrymen.

I have, &c.,

The Marquess of Salisbury.

A. PAGET.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received November 1.)

(Extract.)

Belgrade, October 27, 1889.

I ALLUDED, in my despatch to your Lordship of the 27th April last, to the entire independence from lay interference, even on purely administrative and non-dogmatic points, which Metropolitan Michael claimed for himself and his Church in 1881; and, while recalling to your Lordship's recollection the circumstances under which that prelate was relieved of his functions, and his self-imposed exile since 1883 in consequence, I adverted to his reported intention to employ his time, after returning to Servia and before the meeting of the Skuptchina, in the preparation for the approval

of that body of a Project of Ecclesiastical Law more in consonance with his well-known views.

I now learn, on excellent authority, that a proposal in such sense was, a few days ago, submitted privately to members of the Chamber, but that it met with such general and unqualified condemnation at their hands that the Metropolitan has deemed it expedient to withdraw it, and to abandon his scheme altogether for the present.

I may mention, as a matter not altogether unconnected with the subject, that at a sitting of the Chamber two days ago, the Liberal Opposition taunted the Radical majority for their newly-acquired Austrophil tendencies, and that these retorted in the sense that it was only through intellectual obtuseness that their opponents were unable to see the paramount advantage of living on friendly terms with a powerful and coterminous neighbour.

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received November 1.)

MY LORD,

Sophia, October 28, 1889.

WITH reference to my despatch of the 14th instant, I have the honour to report that the amount of the loan concluded by the Bulgarian Government with the Länder Bank of Vienna is 1,200,000*l.* (30,000,000 fr.), instead of 1,000,000*l.* (25,000,000 fr.), and that the Tsaribrod-Sophia-Vakarel Railway, as also the Yamboli-Bourgas line now in course of construction, have been pledged as security.

I understand that a part of the loan has been taken by some German banks.

I have, &c.

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received November 15.)

MY LORD,

Sophia, November 12, 1889.

ON the afternoon of Sunday, the 3rd instant, the National Assembly proceeded to the election of a President in place of M. Zacharia Stoyanoff, whose decease in Paris during the recess I had the honour to report to your Lordship.

The present National Assembly is composed of 296 Members, who are divided as follows:—

Government party ..	..	..	..	..	..	223
Conservatives ..	..	..	..	..	..	35
Radoslavoffists ..	..	..	..	..	..	23
Zankoffists ..	..	..	..	..	..	16

The Government candidate for the Presidency of the Assembly was M. Slavkoff, who had occupied the post of First Vice-President in last year's Assembly. He is a prominent member of the National party, and a staunch supporter of M. Stamboloff. Owing to the personal influence of M. Stamboloff his election was carried, in a House of 238 Members, by a majority of 90; his opponent, M. Stoiloff, receiving 73 votes from the various groups of the Opposition.

The Government candidates for the posts of Vice-Presidents were M. Petkoff, the Mayor of Sophia, and M. Andonoff, a well-known politician in Eastern Roumelia at the time of the proclamation of the Union. M. Petkoff was elected by a large majority, but the House was inclined to be recalcitrant about the latter; and though the majority voted fairly compactly in the end, they showed a certain amount of discontent, which was probably the result of a more general dissatisfaction at the conduct of certain officials in the provinces, whose abuse of authority is affecting M. Stamboloff's popularity.

It is, however, a noteworthy fact that this is the first time since 1878 that the National Assembly has held three regular Sessions without some political event or Ministerial crisis terminating abruptly the term for which the Assembly is elected.

The Address in answer to the Speech from the Throne was adopted to-day.

In the course of the discussion on the Address this afternoon a member of the Zankoffist party proposed that the House should express its desire for a reconciliation with Russia, whereupon M. Stamboloff rose and described in vivid and trenchant language his view of the policy which Russia had followed with regard to this country since the year 1878, and which had been fraught with peril and danger to the country's existence. "Nevertheless," he said, "we are ready to do all that is possible to bring about a reconciliation with Russia, and I shall be happy when this is effected. As a statesman occupied in public life for fifteen years, I do not wish to see Bulgaria on bad relations with any Power, and especially with Russia; but no sacrifice we could make would be sufficient to bring about this reconciliation. The Bulgarians would be obliged to disown themselves, to relinquish all they have won, to sacrifice their political existence, and this the Bulgarians will never do. I would prefer to see our country fall in the struggle rather than succumb basely."

M. Stamboloff's speech appears to have made a deep impression on the Chamber, and to have been received with cheers by the immense majority of the members, and I shall not fail to furnish your Lordship with the text in a few days.

I would draw your Lordship's attention to the following allusion in the Address to the question of recognition :—

“ We consider it a sacred duty, your Royal Highness, to express the great pleasure which the nation has in recognizing the fact that the cause for which it has made so many sacrifices has obtained the sympathies of the civilized world, and has called forth the praises, solemnly declared, of one of the mightiest and wisest Monarchs, as also of the most famous European statesmen.

“ Deeply appreciating these encouraging symptoms, we firmly believe that eventually, after the proofs of the agreement and firmness which the Bulgarian Sovereign and nation have shown till now, the national accomplished fact will receive the necessary international sanction which it so fully deserves. For obtaining this, we are pleased to think that our Suzerain, relying on the rights which she enjoys under the International Treaties, will make the first step towards the recognition of the elect of the nation, by which she will gain the sympathies and consolidate the bonds which exist between her and the Bulgarian nation.”

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. Baring to the Marquess of Salisbury.—(Received November 21.)

MY LORD,

Cettinje, November 14, 1889.

WITH reference to Mr. Lamb's despatch of the 23rd September last, in which he reported on the emigration of distressed Montenegrins into Serbia, I have the honour to state that this emigration, which is organized by the Government, still continues.

It is officially stated that 1,200 families, or about 6,400 individuals, are leaving the country, but many people declare that the emigrants number at least 10,000. The official statement may very possibly be correct as far as those emigrants are concerned who are leaving the country under the direct auspices of the Government, but there is little doubt that many families have emigrated independently without Government aid or sanction.

The emigrants are dispatched in batches of 1,200 to 1,500 to Berana, whence they proceed to the Servian frontier by way of Bjelopolje and Sjenitza, and M. Bakich, the Under-Secretary for Foreign Affairs, has been sent to Berana to receive them, and to arrange for their onward march through Old Serbia.

I believe the Servian Government stipulated that all the emigrants should not arrive in a body. The weather has been favourable, and it is expected that the last batch will leave the Montenegrin frontier in a very few days.

The Acting Minister for Foreign Affairs, M. Gavro Vukovich,

informed me the other day that the Porte had acted in a most friendly way towards Montenegro with respect to this emigration, and had granted every possible facility. He added that the Austrian Government had suggested that a certain proportion of the emigrants might pass through the occupied provinces, but that on account of the absence of good roads in the eastern part of Bosnia, the proposal was declined. M. Vukovich, however, fully acknowledged the courtesy of the Austrian authorities. His language respecting the action of Austria does not tally with what I heard almost immediately on my return from England. I was informed that the Montenegrin Government had approached the authorities in the occupied provinces on the subject of the emigration, but that the latter had proposed conditions which practically amounted to a refusal to allow the emigrants to pass.

On my inquiring of my informant what these conditions were, I was told that the Austrian authorities required that (1) the emigrants should give up their arms; (2) that during their transit across Bosnia they should be subject to the laws in force in the occupied provinces; (3) that they should be allowed fuel and water, but should not be permitted to purchase provisions.

The first two conditions appear to me so just and reasonable that it is difficult to understand how any one could raise an objection to them. The third condition, if ever made at all, is less easy to understand, but the authorities in Bosnia may have had local reasons for insisting on it with which we here are unacquainted.

The distress in many districts of Montenegro has this year undoubtedly been acute, and many of the peasants had the choice between emigration and starvation. I do not think Prince Nicholas has sent his surplus population to Serbia from purely political motives, but at the same time I doubt whether the Obrenovitch Dynasty is exactly to be congratulated on this sudden increase of its subjects. Montenegrins when out of their own country are apt to be turbulent, unruly, and ready for mischief, and any party of disorder in Serbia will now have ready to hand a force of tough hardy mountaineers, accustomed to the use of arms, and quite prepared to create disturbance whenever and wherever they may be called upon to do so.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. Baring to the Marquess of Salisbury.—(Received November 25.)

MY LORD,

Cettinje, November 15, 1889.

I REGRET to have to report that during the last five or six months affairs on the Turco-Montenegrin frontier have shown a

tendency to relapsing into their old unsatisfactory condition. For some time after the signature of the Agreement drawn up by the late Voivode Radonich and Djevad Pasha, Montenegrins and Albanians kept the peace. The former were the first to break it, by the atrocious murder of two inoffensive Mussulmans on the Lake of Scutari. The perpetrators of this outrage were, as I reported at the time, promptly executed, but ever since that time there has been considerable and increasing bitterness between the Montenegrins and their neighbours.

It would be tedious and of little use to report to your Lordship every outrage that takes place in these unsettled countries, and I will only state that the last act of violence I have heard of was committed by Montenegrins of Vassojevich, who crossed the frontier and carried off 300 sheep from Seltchi, killing two men. The Headman of the tribe to which these men belonged sent over into Montenegro and endeavoured to obtain satisfaction from the Captain of the district, but I understand that the latter replied that the question must be referred to the Prince.

I am told by persons who are acquainted with the frontier districts that now that winter is coming on it is more than likely that there may be a cessation of these outrages, but they fear that in the spring they may be renewed.

The wild mountaineers, Montenegrin and Albanian, if left to themselves, will always find plenty to quarrel about, and it will require much firmness on the part of the Governments concerned to keep them quiet.

The contention of the Montenegrin Government is that it both can and will punish those of its subjects who are guilty of outrages, but then there must be complete reciprocity, and it cannot execute a Montenegrin who has killed an Albanian, while an Albanian who has committed a murder on this side of the frontier is allowed to go scot-free. When the enormous difficulties with which the Scutari authorities have to contend are pointed out to a Montenegrin official, he replies, perhaps justly enough, that that is no affair of his; it is for the Governor-General of Scutari to keep order in his own province, and he must be held responsible for the lawless acts of the inhabitants.

I am far from wishing to attach too much importance to these frontier disputes, but I have thought it my duty to point out that the state of affairs in the border provinces is less satisfactory than it was a year or eighteen months ago.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received December 5.)

MY LORD,

Belgrade, November 30, 1889.

I HAVE the honour to report that, according to a statement in the semi-official Servian newspaper "Correspondance Balcanique," just received, it appears that the last batch of Montenegrin emigrants to Servia, numbering 1,500, left Cetinje yesterday, and will arrive at the Servian frontier to-morrow, thus bringing up the number of those who have quitted Montenegro for Servia to 6,360 individuals.

Notwithstanding the exceptional mildness of the season, there exist, I hear, great misery and not a few cases of famine fever among the immigrants, whose position will, unless the Servian Government have, contrary to general expectation, taken adequate measures of relief, become deplorable in the extreme when real winter weather sets in.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received December 7.)

MY LORD,

Sophia, November 29, 1889.

I HAVE the honour to inclose herewith to your Lordship an article from the semi-official newspaper "Svobodá" with regard to the discussion which has recently been carried on in the foreign press with regard to the supposed agreement arrived at between the Czar and Prince Bismarck with respect to Bulgaria.

The views expressed in this article are in accordance with those of M. Stamboloff at the present moment.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR

(Inclosure.)—Extract from the "Svobodá" of November 14, 1889.

(Translation.)

AFTER alluding to the various reports current as to the entry of Turkey into the Triple Alliance, and latterly to the alleged promise of the German Emperor to send to Turkey fresh German officers, both civil and military, as well as a proposal to appoint an International Commission for the Dardanelles, the writer concludes:—

"Be this as it may, what we know is that the Austrians will again best the Russians, as on former occasions. The rumour that Austria will in future give up Bulgaria and the Prince is rubbish. Such reports may be spread to please Russia, or through ignorance of politics, but they have nothing in common with the active ten-

dency of the Powers interested in our question. We repeat what we have said before, namely, that if the Powers support our cause they do it to insure their own interests. But, as these very interests are most closely bound up with the solution of the Bulgarian question, they are compelled to devote attention to the latter. That opinion seems to us very ill-considered which supposes that our question will be decided independently of other pending European questions. On the contrary, we are inclined to think that our question, as one of the most important European questions, will, by its solution, assist that of the others. The interests of the Powers are now so clearly defined as to make it difficult to believe that any one of them, whether it be Austria or Russia, would agree to renounce its future. In face of this state of things, the Bulgarian question loses nothing. It depends only on our own prudence and moderation to gain the situation. Whatever is said, or written in the press, it is a fact that our Bulgarian question has considerably advanced, and that, moreover, it cannot be settled except according to the wishes of the Bulgarians themselves. The Bulgarians themselves are the principal factor, and the solution of the question depends on the prudence of our own Government. We have in our country neither Russian nor Austrian officers; Bulgaria is ruled by the Bulgarians themselves; therefore they have no cause for fear. Provided we remain firm as a nation and preserve our position, no one can do us violence. But, should Russia decide to do so, then the consequence will be a general war, which, in all probability, will not reach us. This is why we are not troubled by the various reports. Whatever the Powers may do, whatever combinations are made, Bulgaria must remain for the Bulgarians and protected against Russian aggression. On us it depends to secure the position. Should we proceed, as the Russian organs counsel us, to bow the head before Russia, to ask pardon, and to retreat, then, naturally, our servitude is prepared, and none can be sorry for us; but if we maintain worthily the standard of Bulgarian independence, and guard our country with the same energy and patriotism, we shall overcome all the difficulties, and Bulgaria will gain the situation. Everything, therefore, depends on the Bulgarians themselves. As we make our bed, so shall we lie on it."

Mr. O'Connor to the Marquess of Salisbury.—(Received December 13.)

MY LORD,

Sophia, December 9, 1889.

REFERRING to my despatch of the 28th October last, I have now the honour to inclose herewith to your Lordship the conditions of the loan for 1,200,000*l.* (30,000,000 fr.) secured on the Bulgarian

Government railway lines Tsaribrod-Sophia-Vakarel and Yamboli-Bourgas, which has been concluded between the Bulgarian Government and the Austrian Länder Bank and Vienna Bank-Verein.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

(Inclosure.)—Extract from the "*Svoboda*" of ^{November 25} December 7, 1889.

(Translation.)

*Particulars of the Issue of the Loan for 30,000,000 fr. (1,200,000*l.*), secured on the Government Railway Lines Tsaribrod-Sophia-Vakarel and Bourgas-Yamboli.*

IN accordance with the Law for the conclusion of a Loan for 50,000,000 fr. (2,000,000*l.*) sanctioned by Oukaz of the 17th December, 1887, and in conformity with a Decree of the Council of Ministers of the 28th instant [?], the Minister of Finance, on the proposition of the Imperial and Royal Privileged Länder Bank and the Vienna Bank-Verein has concluded with the aforementioned banks a Government Loan for 30,000,000 fr. (1,200,000*l.*) nominal on the following conditions:—

1. In conformity with the Law of the 17th December, 1887, the Minister of Finance announces that he issues a Loan for 30,000,000 fr. (1,200,000*l.*), 24,300,000 marks (12,000,000 Austrian florins gold nominal), in 60,000 bonds, each of 500 fr. (20*l.*), 405 marks (200 florins gold), and the Imperial and Royal Privileged Austrian Länder Bank and the Vienna Bank-Verein undertake to take up such bonds, part firm and part on option.

2. The bonds to be issued by the Bulgarian Government will bear interest at the rate of 6 per cent. per annum, payable in gold in 20-fr. pieces, in two equal instalments by half-yearly coupons falling due the ^{20th March} 1st April and the ^{19th September} 1st October, in each year. The first coupon to be due on the ^{20th March} 1st April, 1890.

3. The sinking fund of such loan to be 1 per cent. of the nominal sum annually by means of half-yearly drawings, which will take place every six months, two months before the date on which the coupons fall due. The first drawing to take place the ^{20th January} 1st February, 1890. Bonds drawn to be paid in gold in 20-fr. pieces at the nearest date on which coupons fall due. The drawings to take place at Sophia, in accordance with regulations to be drawn up after an agreement between the Contracting Parties. The bonds may not be previously redeemed before the 1st January, 1895.

4. The payments of coupons and drawn bonds are guaranteed by a first mortgage on the railway lines Tsaribrod-Sophia-Vakarel and Yamboli-Bourgas. For this purpose the Bulgarian Government

constitutes, in accordance with the Bulgarian Civil Code, a first mortgage on the aforesaid lines, with all their stations, lines, plant, rolling-stock, and other property. The mortgage will be given to the banks aforesaid for account of the bondholders. Should the Bulgarian Government fail to pay the coupons and drawn bonds due within six months of their maturity, the bondholders will have the right to take over the working of the hypothecated lines for their own benefit. Should the Bulgarian Government continue for two years in default in its obligations resulting from this loan, the bondholders will have the right to sell the aforesaid railway lines, and apply the proceeds of such sale to the payment of the overdue coupons, drawn bonds, and unredeemed remainder of the loan, unless recourse be had to the Government for the unredeemed portion. All these rights may be exercised by the Lnder Bank and Bank-Verein, in the name and for account of the bondholders.

5. The Imperial and Royal Lnder Bank and the Bank-Verein bind themselves to take firm one-half of the whole loan, namely, 15,000,000 fr. (600,000*l.*), at the price of 85 per cent. The amount corresponding to such portion is to be paid in the following instalments : two-fifths, or 6,000,000 fr. (240,000*l.*) on the $\frac{1}{5}$ th November, 1889 ; two-fifths, or 6,000,000 fr. (240,000*l.*) on the $\frac{2}{5}$ th December, 1889 ; and one-fifth, or 3,000,000 fr. (120,000*l.*), on the $\frac{1}{5}$ th March, 1890, the amount in each case to be paid upon receipt of the corresponding amount in bonds, duly signed by the Bulgarian Government. Should the bonds not be ready the banks will accept, for the time being, a general bond for the nominal amount of the bonds to be received from the Government ; but the latter is bound, under all circumstances, to hand over the bonds to the aforesaid banks at Vienna, not later than the $\frac{1}{5}$ th December, 1889, for the first two instalments, and the $\frac{1}{5}$ th March, 1890, for the third.

6. The contracting banks reserve, and the Bulgarian Government grants them, the option of taking, within six months from the 1st November, 1889, another portion of the loan (that is to say), 7,500,000 fr. (300,000*l.*) at the same rate of 85 per cent., and a similar amount within one year from the 1st November, 1889, at 87 per cent.

These options may be exercised for the whole amount, or for one portion only, without taking into account the redemption effected. It is agreed that the banks will always return to the Government the amount of coupons drawn for redemption.

7. The banks are obliged to transport the amount of the bonds, whether taken firm or by option, in 20-fr. pieces to Sophia at their own expense.

8. The Bulgarian Government undertakes to transport the necessary sum for the payment of coupons and drawn bonds fifteen days [1890-91. LXXXIII.] 3 Y

before their maturity to the places or bankers to be indicated to it three months before each maturity by the banks contracting at their risk. The expenses of such transport to be met by the Government.

9. The text of the bonds to be drawn up in accordance with an understanding between the two parties. In such text the loan will be described a "mortgage loan on the railway lines Tsaribrod-Sophia-Vakarel and Yamboli-Bourgas." The bonds will contain a paragraph specifying the date of the signature of such mortgage, as will also the temporary general bonds; the expenses of printing the bonds, whether taken firm or on option, to be met by the banks. The French text to serve as the original.

10. The Bulgarian Government undertakes to use all its influence to obtain a quotation for the present loan on the bourses of Vienna, London, and Berlin; the expenses of the quotation at Vienna to be paid by the two contracting banks, but at London (to a maximum amount of 2,000*l.* = 50,000 fr.) and Berlin by the Government. The contracting banks to pay any excess over the sum of 2,000*l.* which may be incurred for expenses of the quotation in London.

11. The Bulgarian Government will pay to the contracting banks or to any other institutions or banks charged with the service of the loan a commission of $\frac{1}{4}$ per cent. for payment of the coupons and $\frac{1}{8}$ per cent. for drawn bonds.

12. All payments, coupons, and drawn bonds will be exempt from all taxes, imposts, or other duties imposed or hereafter to be levied by Bulgarian law.

13. Coupons due, as well as drawn bonds of the present loan, will be accepted at their nominal value by all Government offices in payment of dues, taxes, and customs, or other imposts payable according to the Budget of the Principality.

These conditions, in conformity with Article 3 of the Law sanctioned by Oukaz dated the $\frac{1}{10}$ th December, 1887, have been sanctioned by Oukaz of His Royal Highness dated the 1st instant,* *sub* No. 233.

IV. SALLABASHOFF.

Sir R. Morier to the Marquess of Salisbury.—(Received December 16.)

(Extract.)

St. Petersburg, December 11, 1889.

THE extraordinary stillness in the political world has only been ruffled by the official admission of the Bulgarian Loan on to the Vienna Stock Exchange. The comments of the Russian press, on what they consider a political demonstration almost equivalent to

* *Qy.* $\frac{1st}{18th}$ October, 1889.

the recognition of Prince Ferdinand, have been of the most furious description. This was naturally to be expected, but I also hear that the matter has caused much annoyance to M. de Giers.

The Marquess of Salisbury.

R. B. D. MORIER.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received December 18.)

(Extract.)

Belgrade, December 15, 1889.

I WAS induced yesterday, by the statement in an English newspaper that 5,000 more Montenegrins were expected to emigrate to Servia (than I reported in my despatch to your Lordship of the 30th ultimo as having already left their native country), to ask General Sava Gruitch how the matter stood.

His Excellency gave me to understand that no more were expected; and he spoke as though he thought that the providing for those already arrived, and who will have no means of subsistence of their own till next harvest, would be sufficiently onerous to the Servian Government in their present straitened circumstances.

The Marquess of Salisbury.

F. R. ST. JOHN.

Sir R. Morier to the Marquess of Salisbury.—(Received December 30.)

MY LORD,

St. Petersburg, December 25, 1889.

I ASKED M. de Giers to-day what truth there was in the telegram published some days ago to the effect that the Porte had addressed a Circular to the Powers to learn their views on the subject of the quotation of the Bulgarian Loan on the Bourse at Vienna, the Porte being of opinion that this constitutes a violation of her rights as Suzerain, and that the support given to the operation at Vienna implies in a certain sense the recognition of the Bulgarian Government.

His Excellency said that, so far as he knew, no such Circular had as yet been sent, but that there was no doubt that the Porte had taken "en très mauvaise part" the permission given by the Austro-Hungarian Government to have the Bulgarian Loan officially quoted at Vienna and Pesth. He had reason to believe that what had caused most annoyance was the indiscriminate manner in which the Roumelian railways had been mortgaged in the same way as the Bulgarian. The Roumelian railways, which had been originally conceded by Turkey and had been worked by Turkish employés, were seized at the time of the revolution, the Turkish employés turned out, and the property treated on the same footing as if it had been Bulgarian. Anyhow, the "grief" of the Turkish Government was

based on the unequivocal manner in which this last step of the Bulgarian Government showed their determination to act independently of any restraints imposed upon them by Treaties and the relations existing between them and the Porte, and still more the *de jure* relations still subsisting between the Porte and Roumelia.

I did not, however, gather from M. de Giers' language that he considered it probable that the Porte would give any very effective expression to its sentiments on this subject.

I have, &c.,

The Marquess of Salisbury.

R. B. D. MORIER

Mr. F. R. St. John to the Marquess of Salisbury.—(Received January 3, 1890.)

MY LORD,

Belgrade, December 31, 1889.

THE English newspapers mention a recent incursion from Macedonia into a south-western frontier district of Servia.

I learn in an official quarter that about 250 Arnauts proceeded to cut timber for fuel in a locality which they had voluntarily vacated when it was ceded to Servia by the Treaty of Berlin, but of which they still claim to be the rightful owners, and that during the conflict with Servian frontier guards which ensued, two of the latter were slightly and one severely wounded.

It is to be regretted, observed my Servian informant, that more leniency was not shown to these people at the time alluded to, and that the stricter régime under Servian than under Turkish rule, especially as regards the denudation of forest land, was not postponed for a generation, or at least so gradually introduced as to induce these Mahommedans to remain.

I learn, also, that the Turco-Servian Frontier Delimitation Commissioners have at last accomplished their work, and submitted the result of their labours to their respective Governments, but it was not explained to me how this circumstance alone is expected to remedy the evil complained of.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. Baring to the Marquess of Salisbury.—(Received January 6, 1890.)

(Extract.)

Ottinje, December 29, 1889.

ONE of the numerous questions which have been for several years past under discussion between the Porte and the Montenegrin Government was settled a short time ago. I allude to the question

of the lands owned, previous to the Turco-Montenegrin war, by Mahomedans of Nikshich, who have now left this country to settle for the most part in Old Servia. These lands continued, nominally at least, to belong to the original proprietors, who were supposed to receive the rents from the Montenegrin occupiers, to whom they had been parcelled out in a somewhat arbitrary manner by the Prince, but, in reality, the Montenegrins paid little or nothing; and it is said that every obstacle was placed in the way of any Mussulman proprietor who came to this country to assert his claims.

After long and unsatisfactory negotiations, a Turco-Montenegrin Commission was appointed to settle the question and to fix the rental. A settlement has now been arrived at, or rather, I should say, the Turkish Commissioners, in despair, at last accepted the very inadequate terms offered by the Montenegrins.

The rent to be paid by the Montenegrin occupiers will now average 1 florin per "ralo" (40 square metres); but I am informed that much of the land is worth 5, 6, and even 10 florins the "ralo." At first the Montenegrin Government actually put forward the ridiculous sum of 60 kreutzers as a fair average rental.

The Turkish Minister, in speaking to me of this affair, complained of the action of the Prince's Government towards the Mahomedan proprietors, and, as far as I can judge, his complaints are justified.

Article XXX of the Treaty of Berlin stipulates that "Mussulmans who wish to reside outside the Principality can retain their real property, either by farming them out or by having them administered by third parties." This clearly gives the proprietor the right to deal with his land as he thinks fit, and to let it to whom he likes at whatever rent it will produce. The question was originally simple enough, and had the Montenegrin authorities shown the smallest disposition to deal fairly with the Mahomedan proprietors, no Mixed Commission would have been required to settle it.

The Mahomedan immigrants from Dulcigno have been treated much in the same way as their co-religionists from Nikshich, and their lands are being little by little taken from them and given to Montenegrins.

The Marquess of Salisbury.

WALTER BARING.

Mr. Baring to the Marquess of Salisbury.—(Received January 6, 1890.)

MY LORD,

Cettinje, December 29, 1889.

WITH reference to my despatch of the 14th ultimo respecting the Montenegrin emigration to Servia, I have the honour to state that I am informed that the Prince would be glad, if possible, to

dispatch another large batch of emigrants to the latter country, but that the Servian Government has declined to receive them. These would-be emigrants have, it appears, already sold their lands, and having no means of subsistence, the Government is now obliged to support them. Another attempt will probably be made in the spring to carry out this emigration project.

The Montenegrin officials acknowledge that the Turkish authorities rendered them every assistance during the recent emigration, and the "Glas Tzrnagortza" of to-day holds the same language, though it denies a statement of a Viennese newspaper to the effect that the Sultan aided the emigrants by contributions of money. After thus acknowledging the help and good-will of the Porte, the "Glas" concludes by saying, rather ungraciously, that the Turkish Government is really to blame for the emigration, as by neglecting to regulate the course of the Boyana it subjects this country to annual floods which deprive it of large tracts of valuable land.

No one will deny that the regulation of the Drin and the Boyana is highly desirable, but it is hardly fair to say that the distress which has forced Montenegrins to emigrate this year has been brought about by the vagaries of these rivers.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

The Marquess of Salisbury to Sir B. Morier.

SIR,

Foreign Office, January 6, 1890.

THE Russian Ambassador called at the Foreign Office on the 3rd instant and made the following communication on behalf of his Government.

The Russian Government desire to call attention to the fact that the terms of the loan of 30,000,000 fr. recently concluded by Bulgaria with the Austrian banks stipulate that the Tsaribrod-Sophia-Vakarel and the Yamboli-Bourgas Railways are given as guarantees for the payment of interest and sinking fund, and that the banks have the right to take the place of the Bulgarian Government in the control of the railways if the payment of the annuities is delayed, and to sell them if payment is suspended for two years.

The Russian Government take exception to this transaction on two grounds:—

1. The irregular position of the Bulgarian Government, which has not been recognized by the Powers who signed the Treaty of Berlin, and which is at best tolerated.

They could not therefore recognize its right to dispose of the

railroads which constitute a property of the State, and to pledge the future of the country.

2. Article XXII of the Treaty of Berlin imposed on Bulgaria and Eastern Roumelia obligations arising out of the Russian occupation which are not yet liquidated.

The Bulgarian share amounted to 10,618,250 roubles, the settlement of which was regulated by a Convention signed between Russia and Bulgaria on the 16th June, 1883,* but payments have been suspended since the 22nd July, 1885.

The Eastern Roumelian share nearly equalled that of Bulgaria, but Russia had, out of consideration for the financial difficulties of the country, hitherto abstained from claiming any part of it.

But since Bulgaria had launched into borrowing, Russia must affirm her rights under Article XXII of the Treaty of Berlin.

As the debts owing to her have an international sanction they must naturally enjoy priority, and Russia considers that she must make reserves in regard to transactions which will affect, to the detriment of her rights, the financial resources of Bulgaria and Eastern Roumelia.

I am, &c.,

Sir R. Morier.

SALISBURY.

Sir A. Paget to the Marquess of Salisbury.—(Received January 10.)

MY LORD,

Vienna, January 7, 1890.

I NOTICE that the "Politische Correspondenz" of this evening calls attention to a Sophia letter which appeared in its issue of the 19th December, 1889, relative to the expenses of the Russian occupation of Bulgaria.

In that letter it is observed that the question of these expenses was settled by the Russo-Bulgarian Convention of 1883, by which Bulgaria recognized a debt to Russia of 10,618,250 paper roubles, repayable in annual sums of 800,000 roubles at the National Bank at Sophia. Bulgaria had hitherto punctually fulfilled this obligation, and it was not her fault if in recent years the Russian Government had failed to claim these sums at the National Bank at Sophia.

I have, &c.,

The Marquess of Salisbury.

A. PAGET.

Mr. O'Connor to the Marquess of Salisbury.—(Received by telegraph, January 12.)

(Extract.)

Sophia, January 12, 1890.

OVERTURES are reported to have been lately made to the Bulgarian Government with a view to bring about a reconciliation with

* Qy. 14th July, 1883. Vol. LXXIV, page 1230.

Russia, and on seeing M. Stamboloff this morning I took occasion to allude to them.

His Excellency said that a short time ago a Macedonian named Selenoffski, who is an architect residing at Sophia, had sent him a letter which he had received from his son, who, upon dismissal from the Bulgarian army, had settled at St. Petersburg and married a Russian lady of some position and means. In his letter, M. Selenoffski stated that he was authorized by Count Ignatieff and other prominent members of the Panslavist movement to inform M. Stamboloff that, if he expressed a desire for the renewal of diplomatic relations, the Russian Government would be willing to reappoint Consuls throughout Bulgaria; and that, upon elections being held for a new Sobranjé, they would undertake to recognize whatever Prince might be elected by the Grand National Assembly, not excluding the candidature of Prince Ferdinand. It was stated, however, that Prince Ferdinand should be induced or persuaded to leave the country during the period of the elections.

The Marquess of Salisbury.

N. R. O'CONOR.

Consul Freeman to the Marquess of Salisbury.--(Received January 13.)

MY LORD,

Serajevo, January 6, 1890.

ALTHOUGH I consider it needless to contradict every trivial and ridiculous newspaper report regarding Bosnia and the Herzegovina, the Russian and Servian press have of late launched such a series of invective articles against the Austrian administration of these provinces that I think it my duty to give a denial to the absurdly exaggerated statements, and to inform your Lordship of the real state of affairs.

As I have said in previous reports, I neither think nor wish to make out the Austrian administration in these provinces perfect; but a difficult task has been carried out with no inconsiderable success, and any impartial observer, who knew the country before the Austrian occupation, cannot fail to see the progress that has been made during the last ten years, and the benefits that have accrued to the population from a civilized, regular, and strictly impartial Government.

The tales of oppression and ill-treatment recounted by the Russian press I believe to be absolutely false, and if irregularities or abuses are perpetrated at times by subordinate officials, they are not at all events directed, as the articles in question would seem to imply, specially against the Orthodox population, but affect alike Roman Catholic and Orthodox, Mussulman and Jew.

Much is said about the grinding down of the people by taxation. This is also grossly exaggerated. The taxes are certainly levied with more rigorous exactitude, both as to time and amount, than formerly by the Turkish authorities; but at all events one no longer hears of such abuses as were practised by the farmers of the tithe on agricultural produce and other imposts, with the connivance, if not assistance, of the Turkish officials.

Having to pay the tithe in money, instead of in kind as during the Turkish régime, no doubt falls rather heavily on those cultivators who have no near market for their produce; but this again affects all alike, and not specially the Orthodox peasant, and is by no means a subject of universal complaint.

Another accusation brought against the Austrians is that the purchase price paid to the growers of tobacco is ridiculously low. If this, however, were really the case, would the cultivation of tobacco expand as it does from year to year, to the detriment even of all other crops? The price given by the Government varies generally between 1*l.* and 15*l.* per metric quintal, according to quality, and I know by my own experience that the very best tobacco produced in the Herzegovina was to be procured retail, before the Austrian occupation, at 3*s.* to 4*s.* an oke, which would be equal to about 11*l.* 15*s.* to 15*l.* 13*s.* per metric quintal.

No new taxes have been imposed since Austria took over the administration of these provinces, only, as I have said, the old ones are collected with greater regularity and exactitude. The tax in lieu of military service, called "bedel-i-askerieh," exacted by the Turks from the Christian population, has, of course, been abolished now that the military conscription is enforced on Christians and Mussulmans alike. This was a very heavy tax, 28 piastres, or about 4*s.* 8*d.*, per annum on every male of a year old and upwards, and produced annually about 55,000*l.*

Municipal dues on all articles of consumption entering the principal towns of the province have certainly been imposed, but this, in any case, is no hardship on the peasant, who only, in consequence, charges a higher price for the produce he brings to market. When one considers the enormous rise in price of all native products since the Austrian occupation, one must come to the conclusion that the peasants are in a vastly better position than formerly. It is in fact just the peasants, especially those within easy reach of the towns, who have profited by the change of régime; the townspeople less so. The working classes certainly obtain much higher wages, but this is probably counterbalanced by the increase in price of all necessaries of life, while the shopkeepers, merchants, and better class of townspeople have but little benefited, the expansion of trade not having kept pace with the rise in prices.

The estimated revenue of these provinces for the past year was 786,092*l.* (9,433,100 *fl.*), including 62,000*l.* (744,000 *fl.*) granted to Bosnia as her share of the Customs receipts of the Austro-Hungarian Empire.

Referring to a Report of my predecessor, Sir William Holmes, for the year 1874, that is to say, four years before the Austrian occupation, I find the revenue estimated at 595,814*l.* But this does not include the receipts from customs duties, which were always remitted direct to Constantinople. If, therefore, the 62,000*l.* customs receipts be deducted from the revenue now raised, there remains only 724,092*l.*, or 128,278*l.* more than was raised by the Turkish Government in 1874. This difference is at once more than accounted for by the receipts from the tobacco monopoly, which were estimated last year at 225,000*l.*, of which about 63,000*l.* would go to the peasants as purchase-money for tobacco. Deducting, then, this amount from the revenue, we have at once a balance in favour of the Austrian as against the Turkish régime of 96,722*l.*

Then, again, as regards the tithe on agricultural produce. In 1874, under the Turkish Government, this tax was estimated at 337,792*l.*, whereas for 1889, under an Austrian Administration, the estimate was only 214,750*l.*, although, undoubtedly, a greater breadth of land was under cultivation in the latter year. The "verghi," also, or property and income tax, for 1874 was estimated at 87,720*l.*, and for 1889 at 55,580*l.*, and the tax on cattle for the former year at 47,648*l.*, and for the latter at 30,166*l.*

All these figures, I think, sufficiently dispose of the allegation that the country is more heavily taxed now than it was formerly by the Turks. Only, I am ready to admit that the latter were more lax in the collection of the taxes than the Austrians are, and arrears were often allowed to stand over from year to year unpaid.

It must also be remembered, in drawing a comparison between the present and former Administrations in Bosnia and the Herzegovina, that now the whole revenue is expended in the country, and in addition about 400,000*l.* are still paid annually by Austria-Hungary for the army of occupation.

In 1874 the total amount expended on the civil administration of the country, inclusive of public works, public instruction, &c., was but 197,514*l.*, and the balance of revenue was devoted to the payment of the Ottoman garrison.

I should further mention that, under the Turks, no such item as "Public Worship" appeared in the expenditure, whereas now nearly 14,000*l.* are spent under this head, which includes the maintenance of the Roman Catholic and Orthodox Archbishopsrics. Formerly the Archbishops and Bishops collected from their flocks,

with the help of Government zaptiehs if needful, the necessary funds for their maintenance.

I now come to the subject of the emigration from the Herzegovina of the Orthodox population. Regarding this matter it is very difficult to obtain reliable information. The past harvest was an indifferent one, and even in the best of years the rocky, sterile soil of the Herzegovina gives but a poor return to the agriculturist, and there is, no doubt, much poverty in some parts of the country. This, and the example set them by their Montenegrin neighbours, between whom and the inhabitants of the frontier districts of the Herzegovina exist strong bonds of sympathy and relationship, may have induced a few families to emigrate, or to desire to emigrate, to Servia, but I have certainly heard of no extensive emigration, or anything approaching to the number (3,000 souls) given in the Russian newspapers. If there, however, be any truth in the statement, it seems to me that no reproach is due to the Local Government for endeavouring by all legitimate means to impede such an emigration, on political as well as economical grounds. The emigration of 7,000 Montenegrins to Servia is already an event which may be fraught with much annoyance to the Austrians in Bosnia, and they cannot be expected to treat with indifference any similar movement within their own borders.

As regards the Memorandum which the St. Petersburg newspaper "Slavjanskija Ivestija" states has been addressed by the emigrants to the European Powers, I know absolutely nothing. If such a Memorandum has really been presented, it is probably the work of criminal refugees and political outlaws, and cannot be accepted as a trustworthy exposure of the sentiments of the people. From a few extracts which I have seen, this Memorandum would appear to contain the most ridiculous and easily refuted accusations against the existing Administration. For instance, it says, "The action of the Austrian Government in the agrarian question is unscrupulous and cruel. By threats and incredible persecution she obliges the land-owners to give up their land so that she may introduce a foreign element better suited to her policy of violence. Only some few greedy, narrow-minded, and degenerate land-owners are supported, and even encouraged, to the great injury of the peasants. In fact, all means are employed to increase the dissensions and quarrels between Mussulmans and Christians. Austria follows in this her old device, 'Divide et impera.'" Such balderdash hardly requires any comment.

Then again: "the 'Slava,' a household feast-day and the greatest religious festival of every Serb, is strictly forbidden." What festival is here alluded to is not very clear, but I can testify that the national festival of St. Sava, as well as the household festival

called "krsnoime," which is kept by each family on the day of its patron saint, are celebrated throughout the length and breadth of the land with perfect freedom.

In conclusion, I would draw attention to the complaint that the Orthodox population are not allowed to make use of the Cyrillic character in their books and writings. This, again, is absolutely false. There is no restriction in the matter at all. Even official documents addressed to the Orthodox communities are written in the Cyrillic character. The local official Gazette "*Sarajevski List*," and all orders and regulations, are published in Cyrillic; and finally, the names of the streets of this town are about to be written up in the Cyrillic as well as in the Latin and Arabic character. Had the Austrians been less careful of wounding the susceptibilities of the different sections of the population, and from the first made German the one official language, as Turkish was formerly, it would perhaps have been better, as it would, at least, have preserved them from any charge of favouritism, and given less occasion to these intestine jealousies.

That the people of these provinces are perfectly content under an Austrian Administration I do not pretend, but at all events it is false to say that the Christians, of whatever denomination, or even all the Mussulmans, desire the re-establishment of Turkish dominion.

I have, &c.,

The Marquess of Salisbury.

EDWD. B. FREEMAN.

Sir A. Paget to the Marquess of Salisbury.—(Received January 13.)

(Extract.)

Vienna, January 10, 1890.

I HAVE the honour to inclose translation of a paragraph extracted from the "*Correspondance de l'Est*," which appears in the "*Presse*" of this evening, with regard to proposals stated to have been made to M. Stamboloff in view of a reconciliation between Russia and Bulgaria.

The Marquess of Salisbury.

A. PAGET.

(Inclosure.)—*Newspaper Extract.*

(Translation.)

A BULGARIAN ex-Captain, Selionovsky, has addressed to the Minister President a letter dated from St. Petersburg, in which he says:—

"I am authorized by influential personages to propose to you new conditions in order to facilitate the reconciliation between Russia and Bulgaria. The following are the conditions :

"1. Bulgaria must ask for the dispatch of Russian Consuls to represent Russia in the country.

"2. Immediately after their arrival steps will be taken for the elections for the National Assembly.

"3. The National Assembly so elected will have full liberty to elect any Prince whatever, even Prince Ferdinand.

"4. During the elections the present Prince must absent himself from Bulgaria."

To this proposal Stamboloff will make no reply. The thought underlying this proposal is easy to discover. The Russian Consuls will, as soon as they arrive in the country, work as electioneering agents and organize agitations in favour of Russia. Nevertheless, it is worthy of notice how considerably the Russian pretensions have dwindled. There is no longer any talk of the dispatch of Russian officers, nor of interference in the affairs of the country, nor of the necessity of asking pardon of the Czar. Kaulbars' twelve injunctions appear to have been abandoned.

Sir R. Morier to the Marquess of Salisbury.—(Received January 14.)

MY LORD,

St. Petersburg, January 11, 1890.

WITH reference to the report that the Russian Government had addressed a Circular despatch protesting against the quotation of the Bulgarian Loan on the Austrian Bourse, the "Journal de Saint-Petersbourg" of to-day says that the Imperial Cabinet had limited itself to the expression of an opinion on a measure emanating from a Government the legality of which has not been recognized, and which can only be said to exist on sufferance.

The Bulgarian Government, far from acting with the reserve dictated to it by its position, had mortgaged, with the power of alienation, the railways both of Bulgaria and Eastern Roumelia, and by this act had seriously affected the mortgage, to which, in virtue of the Treaty of Berlin and later Conventions, Russia has a prior claim.

The journal goes on to say that it does not wish to enter upon an academical discussion with the "Times" and "Standard" as to whether or not there has been a violation of the Treaty of Berlin by the Government of Sophia. It maintains that with a little good faith these papers must admit that the very existence of this Government is a violation of that Treaty, and, further, that Article XXI formally denies the right to contract a loan of 30,000,000 fr. under the conditions under which the said loan has been raised.

I have, &c.,

The Marquess of Salisbury.

R. B. D. MORIER.

Sir A. Paget to the Marquess of Salisbury.—(Received January 17.)

MY LORD,

Vienna, January 14, 1890.

WITH reference to the assertion of the "Times" correspondent in Vienna, to the effect that the Bulgarian 6 per Cent. Loan is the only foreign loan whose quotation has been permitted upon the Vienna Stock Exchange, it may, perhaps, be as well to state that an Italian, Servian, and five Turkish loans are quoted on the Vienna Exchange.

I may add, too, on the best authority, that the further statement that the German Government blames the Austrian Government for permitting the quotation of the Bulgarian Loan, and sides with the views expressed in the Russian Circular upon this subject, is also absolutely false.

I have, &c.,

The Marquess of Salisbury.

A. PAGET.

Mr. O'Connor to the Marquess of Salisbury.—(Received January 18.)

MY LORD,

Sophia, January 13, 1890.

I HAVE the honour to transmit herewith to your Lordship an article from the semi-official newspaper "La Bulgarie," relative to the note which the Russian Government has lately addressed to its Representatives abroad respecting the loan concluded by the Bulgarian Government with the Länder Bank and the securities pledged to that institution by the Government of Sophia.

In referring to this subject yesterday, M. Stamboloff said that he did not in any way contest the priority of the Russian claim for reimbursement for the expenses incurred by the Russian occupation after the war of 1877-78, but that he could not admit that these expenses were secured by a lien either on the Tsaribrod-Vakarel or the Yamboli-Bourgas Railways, inasmuch as these lines did not exist at that time. The Bulgarian Government had never refused regular payment of the annual sum due in virtue of the agreement with Russia of July 1883 on account of the occupation, and they had paid the amount regularly up to the end of 1885, and since that time an annual sum of 2,100,000 fr. had been inserted in the yearly Budget in discharge of the debt, though the Russian Government had not condescended to claim or accept it.

As regards the claim for expenses consequent on the occupation of Eastern Roumelia, no agreement had ever been come to as to the amount, nor had any accounts been rendered by Russia of the administration of the revenues of the province during the occupation. He was, moreover, under the belief that an assurance had been given to Prince Alexander by the Russian Government that

whatever moneys were paid by Bulgaria or Eastern Roumelia on account of the occupation would be spent in Bulgaria for the economic development of the country, whereas he was well aware that for years the annual payment made by the Government of Sophia had been expended in other ways.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. Baring to the Marquess of Salisbury.—(Received January 20.)

MY LORD,

Cettinje, January 13, 1890.

IN my despatch of the 14th November last, respecting the emigration of Montenegrins to Servia, I ventured to remark that the Servian Government had little reason to congratulate themselves on this increase of population; and I now observe that my surmise was pretty correct.

It is very probable that, as the emigration was carried out under the auspices of the Government, the emigrants imagined that it was the duty of the Servian Government to keep them in idleness for an indefinite period.

In the meantime, it is by no means clear what is to become of the Montenegrins whom the Servian Government declined to receive, and to whom I alluded in my despatch of the 29th ultimo. The Montenegrin Government are supposed to provide these people with means of subsistence, but they are in reality maintained out of the Russian charitable fund which is being administered by a Committee consisting of the Secretary to the Russian Legation, the Metropolitan, and three other Montenegrin members.

I am informed, on good authority, that by far the larger portion of this fund will now have to be expended on the emigrants in Servia, and on the people to whom I have just alluded, and that this fact is causing a good deal of discontent throughout the Principality, as Montenegrins hold strongly to the idea that roubles should be expended on those of their countrymen who stay at home.

I also hear that the sum subscribed in Russia, 100,000 roubles, is far below what the Montenegrins hoped to receive. It appears that they calculated that in Russia there were 30,000 churches, and, if the collection averaged 10 roubles per church, the result would be 300,000 roubles. The actual sum subscribed amounted to one-third of this figure.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

*Sir F. Lascelles to the Marquess of Salisbury.—(Received
January 24.)*

MY LORD,

Bucharest, January 6, 1890.

THE Roumanian Chamber separated for the Christmas recess on the 4th instant, after having voted the Address in reply to the Speech from the Throne by 99 votes to 64.

The debate began on the 23rd ultimo, and was taken up to a large extent by the discussion of the events which led to the recent change of Ministry, with the details of which it is unnecessary that I should trouble your Lordship.

Several allusions were made in the course of debate to the foreign policy of Roumania, and an amendment was moved to the effect that, as Roumania should be an element of order, tranquillity, and culture on the Lower Danube, the Parliament will use its efforts to continue the prudent policy which has secured the confidence of the Powers. The mover of this amendment explained that his object was to affirm that the Parliament did not share the opinion of M. Carp, who desired that the direction of foreign policy should belong to the King.

M. Lahovary replied that the Government were responsible for the foreign policy of the country, and that it was a mistake to suppose that it was directed by the King; and in a previous speech his Excellency pointed out that the object which the Government had in view was to maintain the integrity and independence of the country, whilst seeking to avoid any subject of conflict with the neighbouring Powers. If war were to break out, an appeal would be made to the patriotism of the country, and it would then be seen what decision would be come to. His Excellency referred to Switzerland and Belgium, who guaranteed their neutrality by their armaments.

The result of the division is generally considered as a great triumph for the Government, and as a justification of the action of General Mano and M. Lahovary in resisting M. Lascar Catargi's demand for a dissolution.

The Chamber will reassemble on the 21st instant.

I have, &c.,

The Marquess of Salisbury.

FRANK C. LASCELLES.

Sir R. Morier to the Marquess of Salisbury.—(Received January 27.)

MY LORD,

St. Petersburg, January 17, 1890.

WITH reference to my despatch of the 11th January, respecting the Russian Circular on the Bulgarian Loan, I have the honour to

state that M. de Giers' language is in exact conformity with that of the officious organ. His Excellency has on all occasions upon which he has touched on the subject in conversation with me invariably insisted that that document did not bear the character of a protest, still less of a menace. It even hardly amounted to a reservation, and was only a taking act of certain transactions, and placing on record the opinion of the Russian Government, to the effect that these transactions were not in accordance with the provisions of the Treaty of Berlin.

I have, &c.,

The Marquess of Salisbury.

R. B. D. MORIER.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received by telegraph, January 29.)

MY LORD,

Belgrade, January 29, 1890.

I UNDERSTAND that the alarming rumours circulated here within the past week were founded on a report that a loan of 10,000,000 fr. (400,000*l.*) was about to be raised for mobilization of the Servian army, owing to an alleged concentration of Bulgarian troops on the frontier, and that the Skuptchina would be at once convoked in order to obtain legislative sanction to such a loan.

I also learn that, although there exists not the remotest desire on the part of this Government to mobilize, it will, when the Skuptchina shall in due course have assembled on the 13th proximo, demand authority for a loan of 2,000,000 fr. (80,000*l.*) required for converting obsolete muskets, with which it is intended to arm the militia, as soon as the Legislature shall have passed the new Military Law.

On questioning M. Tauschanovitch, the Minister of the Interior, on the subject of these alarming rumours, his Excellency stated to me that they were absolutely false, and invented and spread for political purposes by Opposition newspapers, whom it is his intention to prosecute in consequence.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received February 1.)

(Telegraphic.)

Sophia, February 1, 1890.

THE arrest of Major Panitza on a charge of instigating a plot against the Prince and Government was effected last night. The accused is Grand Voivode of Macedonia, and commanded an irregular corps of Bulgarian army in the Servian war.

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There are a few other officers implicated, but the Government do not consider the matter sufficiently serious to necessitate their arrest.

Mr. O'Conor to the Marquess of Salisbury.—(Received by telegraph, February 1.)

MY LORD,

Sophia, February 1, 1890.

MUCH excitement was created here this morning by the arrest on Thursday night, the 30th ultimo, of Major Panitza on a charge of conspiring and instigating a number of officers of the garrison to effect a *coup d'État* for the seizure of the Prince and his Ministers, M. Stamboloff and Colonel Moutkouroff.

Major Panitza's antecedents are well known in Bulgaria. He was intimately connected with the movement in favour of the union with Eastern Roumelia, and during the Servo-Bulgarian war he commanded a corps of irregulars acting on the extreme right of the army, and rendered considerable service by the dashing celerity with which he broke into the enemy's country.

He is, however, best known by his connection with Macedonia, where he is reported to possess extensive influence in virtue of his office as Grand Voïvode, and his popularity among the numerous Macedonians connected with Bulgaria.

When Major Panitza's name was submitted by the Minister of War to Prince Ferdinand for advancement to the grade of Lieutenant-Colonel, to which he was entitled by seniority as well as by the services he had rendered during the war, the Prince refused to sanction his promotion, and struck out his name from the list, and promoted at the same time one or two junior officers to the higher grade. Incensed by Prince Ferdinand's action, and further aggrieved by sundry slights which he considered His Royal Highness had put upon him, he appears to have at first intrigued with the Zankoffist party, and then to have set to work to get up amongst the Macedonian officers of the garrison a conspiracy to overthrow the Prince. Apparently emboldened by a certain measure of success amongst the officers, he finally, on the 28th ultimo, made similar proposals to the Commandant of the garrison, Colonel Kissoff, who subsequently communicated them to the Minister of War. Instead, however, of arresting him immediately, the police were ordered to watch his movements, in order to discover who his accomplices were, but as it was feared that he might attempt a *coup d'État* on the occasion of a ball which was taking place at the Palace to-night, he was arrested in the early morning, and a severe perquisition effected in his house.

There is little doubt that Major Panitza was actuated by purely

personal enmity towards Prince Ferdinand. His plan appears to have been to proclaim a Military Dictatorship under Colonel Kissoff, to seize M. Stamboloff and Colonel Moutkouroff, the Minister of War, in order to prevent their attempting a counter-revolution, and to present the alternative to the Prince of deposition or adherence to the new order of things. In order to persuade the officers to join in the plot, he endeavoured to make them believe that unless the present Government was upset within a month a Russian occupation would certainly take place in March, and M. Stamboloff seems to have reason for thinking that he was in communication with a certain Kalupkoff at Rustchuk.

The defence made by Major Panitzza for his treasonable proposals to Colonel Kissoff is that he was drunk at the time he made them, but this would hardly account for his efforts to corrupt the Macedonian officers, with whom he was almost in daily relationship for some time past.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received by telegraph, February 3.)

MY LORD,

Sophia, February 3, 1890.

WITH reference to my despatch of the 1st instant, I have the honour to report that Captains Tatoff and Chavdaroff, and Lieutenant Rizoff, the latter being the officer who was on guard at the Palace on Thursday, the 30th ultimo, and also five or six civilians, were arrested last night for complicity in Major Panitzza's conspiracy.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received by telegraph, February 6.)

MY LORD,

Sophia, February 6, 1890.

I HAVE the honour to report to your Lordship that M. Stamboloff informed me this morning that M. Kalupkoff, a Russian subject, employed in business at Rustchuk, had been arrested, owing to documents having been found in Major Panitzza's house implicating him in the latter's conspiracy. There was a letter, he said, in cypher, from Kalupkoff, urging Major Panitzza to proceed to work at once and get rid of him and Colonel Moutkouroff, but advising him at the same time to avoid, if possible, bringing on a revolution.

M. Stamboloff added that several letters had been found in Kalupkoff's possession from an ex-Dragoman of the Russian Legation at Bucharest, named Jacobson.

I learn that, upon hearing of Kalupkoff's arrest, Baron de Wangenheim, the Acting German Consul-General, who is also charged with the protection of Russian interests in Bulgaria, asked for explanations, and was informed by M. Stamboloff of the facts above stated, and also that M. Kalupkoff would be brought to trial as soon as possible, and that if he were found guilty of the charges preferred against him in the Court of Justice, the Bulgarian Government would not execute the sentence, but would hand him over to his own Government.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR

Mr. O'Conor to the Marquess of Salisbury.—(Received February 7.)

(Extract.)

Sophia, January 31, 1890.

I HAVE the honour to inclose herewith to your Lordship a copy of a note, dated the $\frac{4}{17}$ th instant, from M. Stransky, to Dr. Voulcovitch, the Bulgarian Agent at Constantinople, in answer to the despatch of the 24th December last, which was addressed by M. de Giers to the Russian Representatives abroad with reference to the loan lately concluded by the Bulgarian Government with the Länder Bank of Vienna.

M. Stransky said that the note was not intended for publication, and he was surprised to see it appear in the newspapers a few days ago. At the same time, he saw no reason to object to its publication, although it had been made without his knowledge.

The Marquess of Salisbury.

N. R. O'CONOR

(Inclosure 1.)—Dr. Stransky to Dr. Voulcovitch.

M. L'AGENT,

Sophia, le $\frac{4}{17}$ Janvier, 1890.

J'AI l'honneur de vous accuser réception de votre lettre du 23 Décembre dernier, par laquelle vous m'avez donné le résumé d'une note Circulaire adressée le $\frac{3}{4}$ Décembre, 1889, par le Cabinet Impérial de Saint-Petersbourg à ses Agents pour être communiquée aux Gouvernements auprès desquels ils sont accrédités, concernant l'emprunt Bulgare de 30,000,000 fr. conclu avec la Länderbank de Vienne le $\frac{1}{3}$ Octobre, 1889.

Comme cette note peut donner lieu à des interprétations diverses ou à des appréciations défavorables à notre pays, je crois devoir vous faire connaître les vues du Gouvernement Princier sur les questions qu'elle soulève au sujet des droits et des obligations attribués en la matière à la Bulgarie par le Traité de Berlin.

Le droit de la Bulgarie de contracter des emprunts n'est infirmé par aucune des dispositions du Traité de Berlin; tout au contraire,

il lui est absolument acquis en vertu des Articles 102 et 123 de sa Constitution approuvée par les Représentants des Puissances Signataires de ce Traité.

Les conditions auxquelles les chemins de fer de Tsaribrod-Sophia-Vakarel et de Yamboli-Bourgas ont été hypothéqués en garantie de l'emprunt dont il s'agit, constituent donc une affaire d'ordre purement intérieur : il appartient à la Bulgarie, seule juge de ses intérêts, de prendre tels engagements que lui permettent ses ressources financières et d'y répondre.

L'Article XXII du Traité de Berlin, qui a trait au paiement des frais de l'occupation Russe, peut-il recevoir l'interprétation que lui donne le Cabinet de Saint-Pétersbourg en ce qui regarde la garantie assignée sur les lignes ferrées en question ?

L'obligation de construire la ligne internationale de raccordement a été stipulée, sans discussion, à la charge de la Principauté, dans l'Article X du dit Traité. Ayant en vue cette obligation, qui lui a été imposée avec l'assentiment de la Russie, le Gouvernement Bulgare a fait à l'époque tous ses efforts pour contracter un emprunt de manière à entreprendre et à mener à bonne fin la construction de la ligne traversant son territoire, sans grever le pays d'une charge immédiate trop lourde ; mais il a rencontré toujours une opposition occulte qui fit échouer partout la conclusion d'un emprunt acceptable, et le Chemin de Fer Tsaribrod-Sophia-Vakarel fut construit avec les seules ressources de la Bulgarie, par les soins de ce même Gouvernement dont on conteste la légitimité. Aussi bien, une partie de l'emprunt conclu aujourd'hui servira-t-il précisément à remédier à une situation qui a bouleversé l'économie du Budget régulier du pays.

Quant à la voie ferrée de Yamboli-Bourgas, elle a été jugée indispensable pour la Roumélie - Orientale, et personne jusqu'à présent n'a nié la grande utilité de cette ligne économique en vue du développement commercial et agricole de ces contrées.

Il est évident que ces deux chemins de fer, dont l'un a été commencé en 1885 et achevé en 1888, et dont l'autre est en voie de construction depuis l'année dernière, ne pouvaient être assignés en garantie pour les frais d'occupation de l'armée Russe ; le Traité de Berlin n'en fait aucune mention à ce titre.

D'ailleurs, le Gouvernement Impérial de Russie convient lui-même qu'il a conclu en 1883 avec le Gouvernement Princier de Bulgarie—lorsque deux membres de ce Gouvernement étaient des Généraux Russes, MM. Soboleff et Kaulbars—une Convention qui règle les conditions de paiement de la dette de notre pays afférente à ces frais d'occupation. Les annuités stipulées dans cette Convention, dont je vous envoie ci-joint copie pour plus ample information, ont été payées à la Russie jusqu'au mois de Juillet 1886 et,

depuis cette époque, les versements ont lieu régulièrement, à la Banque Nationale Bulgare pour compte du Gouvernement Russe; mais comme ce dernier ne veut point reconnaître notre Gouvernement, il s'abstient de donner quittance et le montant des annuités ainsi accumulées reste en dépôt à la Banque susmentionnée.

Par conséquent, il n'y a pas de raisons de croire à une insolvabilité de la Bulgarie, et, pour notre part, nous nous refusons à croire que des craintes de cette nature aient pu être le mobile de la démarche du Cabinet Impérial de Saint-Petersbourg pour justifier la priorité de garantie demandée en faveur de la créance relative aux frais d'occupation en Bulgarie. Au surplus, comme vous le verrez, M. l'Agent, la dite Convention ne prévoit aucune garantie spéciale ni priorité quelconque à cet égard : elle est basée exclusivement sur les revenus généraux de la Principauté.

En ce qui concerne la Roumélie-Orientale, il est inexact que la part revenant à cette province pour les frais d'occupation n'ait pas été réclamée. Les créances en question furent réclamées simultanément à Sophie et à Philippopoli. Toutefois, M. Davidoff, Agent Diplomatique de Russie en Bulgarie, et M. le Prince Tzérétoleff, Consul-Général de Russie en Roumélie-Orientale, en invitant les Gouvernements intéressés à reconnaître en principe ces créances de la Russie, leur déclarèrent formellement que, par suite d'un Ukase de Sa Majesté l'Empereur Alexandre II, les sommes qui proviendraient de ce chef resteraient dans le pays et seront affectées à des œuvres d'utilité publique. S'appuyant sur cette déclaration, l'Assemblée Provinciale de la Roumélie-Orientale avait accepté en principe cette dette; mais lorsque le Gouverneur-Général rapporta le vote de l'Assemblée à la Sublime Porte, celle-ci voulut examiner et traiter la question avec l'Ambassade de Russie à Constantinople et le Gouvernement Impérial de Russie n'insista plus auprès du Gouvernement Rouméliote. C'est ainsi que la part revenant à cette province n'a jamais été réclamée. En Bulgarie, à partir de 1883, les annuités fixées par la Convention étaient touchées par l'Agence Diplomatique de Russie à Sophia et pas un centime n'en fut envoyé en Russie : conformément à l'Ukase Impérial susmentionné, elles étaient employées dans le pays. Nous sommes persuadés que le Gouvernement Russe ne manquera pas de convenir de ces faits que nous venons de rappeler.

Il résulte des considérations qui précèdent que, envisagée au double point de vue des obligations internationales imposées à notre pays par le Traité de Berlin et de l'engagement spécial pris par la Principauté en vertu de la Convention de 1883, la créance de la Russie pour les frais d'occupation ne saurait bénéficier de la priorité à l'encontre du droit absolu de la Bulgarie de régir ses finances d'après ses propres intérêts et suivant les modalités admises par

tout État libre d'accorder des garanties hypothécaires pour certaines transactions et de n'en pas donner pour d'autres.

Les conditions de l'emprunt conclu par le Gouvernement Princier avec la L nderbank ont   t  approuv  es par l'Assembl  e Nationale et sa l  galit   ne peut   tre contest  e : elle est aujourd'hui, pour ainsi dire, consacr  e par le succ  s qu'il a obtenu et qui est une preuve de la confiance qu'inspirent    l'  tranger la Bulgarie et son Gouvernement.

Cependant, le Gouvernement Imp  rial de Russie estime que le Gouvernement Princier n'aurait pas le droit d'engager les ressources financi  res du pays parce qu'il ne serait pas un Gouvernement r  gulier,   tant n   de la r  volution, et qu'il ne serait pas reconnu comme l  gitime par les Puissances.

Tout le monde conna  t les   v  nements qui se sont d  roul  s en Bulgarie depuis le coup d'  tat du   ²/₁ A  t, 1886, et l'on sait que la situation faite    la Principaut   au point de vue international n'est pas l'  uvre des Bulgares.

En effet,    la suite de l'abdication du Prince Alexandre, la R  gence, l  galement constitu  e par lui, avait   t   reconnue par toutes les Puissances y compris la Russie, qui avait accr  dit   aupr  s d'elle le G  n  ral Kaulbars en qualit   d'Agent Diplomatique de Russie. La lettre ci-jointe en copie adress  e le   ¹/₃ Septembre, 1886, par son Excellence M. de Giers    M. Natch  vitch, Ministre des Affaires   trang  res du Gouvernement de la R  gence, en fait foi. Or, le Gouvernement actuel de la Principaut     mane de la R  gence, et sa l  galit   peut d'autant moins   tre mise en discussion qu'il tient   galement ses pouvoirs de la Grande Assembl  e Nationale qui a si  g      Tirnovo en 1887.

Le Gouvernement Princier est le premier    regretter la situation o   se trouve la Bulgarie au point de vue de ses relations internationales. Mais si l'on consid  re la mission qu'il a remplie jusqu'   ce jour dans la limite de ses droits et dans l'ordre de ses obligations, il avoue en toute franchise qu'il ne peut comprendre la port  e de la r  cente d  marche du Cabinet Imp  rial de Saint-P  tersbourg ; il ose esp  rer que cette d  marche n'est pas le pr  lude de nouvelles complications politiques. Aussi, la Bulgarie croit-elle pouvoir compter toujours sur l'appui bienveillant de la Cour Suz  raine et des Grandes Puissances pour   carter un nouveau d  ploiement de rigueurs qu'elle n'a ni provoqu  es ni m  rit  es.

Vous   tes autoris  , M. l'Agent,    donner lecture de la pr  sente note    son Excellence M. le Ministre Imp  rial Ottoman des Affaires   trang  res.

Veillez, &c.,

Dr. Voulouvitsh.

DR. STRANSKY.

(Inclosure 2.)—*Extract from "La Bulgarie" of January 19, 1890.*

Sophia, le 19 Janvier, 1890.

LA récente note de M. de Giers a revendiqué, en faveur de la Russie, un droit antérieur d'hypothèque sur les lignes ferrées Bulgares, hypothèque garantissant, au dire de M. le Ministre de Sa Majesté le Czar, le paiement des frais de l'occupation Russe, telle que cette créance résulte, en principe, du Traité de Berlin (Article XXII) et, en réalité, de la Convention Russo-Bulgare *ad hoc* du $\frac{1}{2}$ Juillet, 1883.

Or, ne voulant pas mettre en doute la bonne foi de M. de Giers, nous ferons seulement remarquer que sa mémoire l'a mal servi. On connaît, en effet, l'Article XXII de l'Acte de Berlin, qui ne stipule absolument aucune hypothèque. De même, la Convention Russo-Bulgare ne fait aucune mention de gage ou autre ; elle ne fait même pas allusion aux "revenus généraux" du pays comme c'est généralement le cas. Pour couper court à toute interprétation ou assertion arbitraire, nous croyons devoir reproduire ci-après le texte même de l'Arrangement Bulgaro-Russe :—

"Convention conclue le $\frac{1}{2}$ Juillet, 1883, entre le Gouvernement Impérial de Russie et la Principauté de Bulgarie pour le paiement des Frais de l'Occupation."

[See Vol. LXXIV, page 1230.]

Le texte que l'on vient de lire est assez explicite pour nous dispenser de tout commentaire.

Mr. O'Conor to the Marquess of Salisbury.—(Received by telegraph, February 8.)

MY LORD,

Sophia, February 8, 1890.

WITH reference to my despatch of the 6th instant, I have the honour to report to your Lordship that Mr. Vice-Consul Dalziel, who had already telegraphed to me the news of M. Kalupkoff's arrest (reported in my despatch aforesaid), has to-day informed me by telegraph that another Russian and two Bulgarians have been arrested at Rustchuk. Mr. Dalziel adds that, so far, no arrests of officers have been made, and that he is not of opinion that any serious consequences need be apprehended at Rustchuk.

I have communicated the above intelligence to Sir William White.

I have, &c.,

The Marquess of Salisbury.

N. B. O'CONOR

Mr. Baring to the Marquess of Salisbury.—(Received February 11.)

MY LORD,

Cettinje, February 3, 1890.

IN my despatch of the 13th ultimo and in previous despatches I alluded to a number of Montenegrins who had intended emigrating to Servia, but who had been unable to leave the country. They number about 4,000, and are now engaged in road-making in the Zeta Valley. I am told on good authority that the sickness and misery among them is very great.

M. Wurzel, the Secretary to the Russian Legation, left on the 1st instant for Danilograd to distribute relief out of the Russian fund, and a hospital has been established at Orioluka, a place situated a few miles higher up the river (Zeta) than Danilograd. When this hospital was first opened fifty sick persons were at once admitted, forty of whom died within forty-eight hours!

The "Glas Tzrnagortza" of yesterday announces that a further sum of 25,000 roubles is being sent by the Holy Synod of Russia in aid of distressed Montenegrins.

From the accounts received here, it would appear that there is also much distress among the Montenegrin settlers in Servia, who are, moreover, in a state of chronic discontent. I heard yesterday that these people had assumed so threatening an attitude that the Government had been obliged to send a strong force of police to maintain order among them.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. O'Connor to the Marquess of Salisbury.—(Received February 17.)

(Extract.)

Sophia, February 6, 1890.

SINCE addressing to your Lordship my despatch of the 1st instant, the Bulgarian Government have obtained much fuller information respecting Major Panitza's conspiracy, and, upon calling on M. Stamboloff this morning, he at once proceeded to speak as follows:—

The first traces of the conspiracy dated as far back as August 1889, and since that time all the influence of the anti-dynastic party had been exercised in corrupting and inveigling into the conspiracy the junior officers of the garrison.

In one respect there is a curious resemblance between the present alleged conspiracy and the *coup d'État* of the 21st August, 1886, for in both cases the direct actual impulse was owing to the personal feeling of a distinguished officer anxious for revenge for an act of supposed injustice on the part of his Sovereign. In 1886, Captain Bendereff, who had greatly distinguished himself during

the Servo-Bulgarian war, was refused the promotion and reward of his services, and in the present instance the conspiracy starts from the date of the Prince's refusal to promote Major Panitzza.

The Marquess of Salisbury.

N. B. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received February 17.)

MY LORD,

Sophia, February 9, 1890.

IN talking, a few days ago, of the events connected with Major Panitzza's conspiracy, M. Stamboloff dwelt with great earnestness on the difficulties which the non-recognition of Prince Ferdinand by the European Powers was tending to create in the maintenance and stability of the present régime, and he was afraid, he said, that as long as this anomalous situation continued, a feeling of insecurity would exist which would be detrimental both to the discipline of the army and the tranquillity of the country.

I did not feel called upon to make any observations in reply to M. Stamboloff's remarks.

I understand that M. Stamboloff used similar language in talking on the same day with M. de Burián, the Austro-Hungarian Agent, who likewise appears to have refrained from any comment.

I have, &c.,

The Marquess of Salisbury.

N. B. O'CONOR.

Mr. Baring to the Marquess of Salisbury.—(Received February 17.)

(Extract.)

Cettinje, February 11, 1890.

ONE of my colleagues informed me to-day that he had read in some Austrian newspaper that, on the occasion of the christening of the infant son of the Prince of Montenegro at Rieka, on the 19th ultimo, a certain Kovatchevich, who was formerly a brigand in Herzegovina, and who now resides at Nikshich, made a speech to the Prince, in the course of which he expressed a wish that the young Prince Peter, who had received the title of Voivode of Zakhum, might some day govern the province ruled over in former days by the Dukes whose title had now been revived in his person.

This title of "Voivoda Humski" requires some explanation. Up to the latter part of the fourteenth century the district of Zakhum was governed by Rulers who owed a sort of qualified allegiance to the Kings of Hungary, and one of whom, at some time or another, received the title of "Herzog," whence the name 'Herzegovina.' The country ruled over by these Voivodes, or Dukes, comprised a portion of modern Herzegovina, a part of

Montenegro, a small part of Bosnia, and a small portion of the Sandjak of Novi-Bazar.

Not long after the complete conquest of Bosnia by the Turks (about 1440, I think) the district of Zakhum was incorporated in the Sultan's dominions, and one of the last members of the Ducal house, turning Mahomedan, subsequently held high office in Turkey under the name of "Achmet Herzegovinski."

The revival of this old title would at first sight appear to be a totally unimportant matter, but there is no doubt that the common people here do attach a considerable amount of importance to it and look upon it as foreshadowing an extension of the frontiers of this country.

The Marquess of Salisbury.

WALTER BARING.

Mr. O'Connor to the Marquess of Salisbury.—(Received by telegraph, February 20.)

MY LORD,

Sophia, February 20, 1890.

ON calling upon the Minister for Foreign Affairs this morning, M. Stransky informed me that Baron de Wangenheim, the German Acting Consul-General, who is also charged with the affairs of the Russian Agency here, had just handed him a note demanding, on behalf of the Russian Government, the arrears due by Bulgaria on account of the expenses incurred by the Russian occupation according to the Convention, a copy of which I had the honour to inclose to your Lordship in my despatch of the 31st ultimo, amounting to 360,000*l.* (3,600,000 roubles, or about 9,000,000 fr.).

This sum is the amount due by the Principality proper, and does not include the expenses of the occupation of Eastern Roumelia.

Baron de Wangenheim presented, further, a claim for cartridges, rifles, and other munitions of war supplied by Russia to the Bulgarian Government, amounting to 572,988 roubles.

M. Stransky informed Baron de Wangenheim that the Bulgarian Government were themselves desirous to discharge their liability for the expenses of the Russian military occupation, and he assured him that the matter would be considered in the Council of Ministers without delay, and a reply sent to him within a few days.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received February 21.)

(Extract.)

Belgrade, February 14, 1890.

IF there exist a predominating idea in the Servian mind, or one in which all Serbs are perfectly united, it is that Bulgaria must be forestalled, on ethnographical grounds, in the acquisition of Macedonia and a seaboard, when the moment arrives for the disruption of the Turkish Empire.

Your Lordship may therefore imagine with what dismay the news was received here that at St. Petersburg there had been published, under the auspices of a Pan Slavist Society, of which General Ignatieff is President, a map indicating that, ethnographically, Bulgaria has a better claim than Serbia to the territory in question.

I am told, though not in an official quarter, that the Emperor of Russia hastened to disavow to the Servian Minister at St. Petersburg the ethnographical opinions implied by the action of the organ of the Russian Benevolent Society, and that the Servian Envoy telegraphed to apprise his Government; but the unfavourable impression made by the incriminated map remains, and has, it is said, materially weakened the position of the present Russophil Servian Ministry.

Among the public some indignation meetings have occurred.

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received February 21.)

MY LORD,

Belgrade, February 15, 1890.

I LEARN, in a generally well-informed quarter, that the principal object of the recent visit to Belgrade of M. Gavro-Voukovitch, the Acting Minister for Foreign Affairs of Montenegro, was to endeavour to induce the Servian Government to receive another 7,000 of his countrymen who are willing to emigrate to Serbia, but that the request was declined, on the ground of the very heavy burden thrown on the Servian exchequer by those already arrived.

At an interview yesterday with the Servian Minister for Foreign Affairs, his Excellency, on my alluding to the matter, virtually admitted that the offer had been made and refused for the above-mentioned reasons; but he demurred to the notion that this formed the object of the Envoy's visit, which, he said, occurred subsequently to the proposal on the part of Montenegro of sending more emigrants.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received February 21.)

MY LORD,

Sophia, February 17, 1890.

WITH reference to my despatch of the 8th instant, I have the honour to say that very little further information of any importance has reached me within the last week with respect to Major Panitza's conspiracy, although rumours of various kinds have been maliciously circulated both here and in the foreign press on the subject.

Major Panitza and his immediate accomplices are detained in close confinement here, and have been dismissed from the ranks of the regular army by Princely Rescript. This latter measure gave rise to a belief that they would be tried in a Civil Court of Justice, and much dissatisfaction was, I understand, expressed in military circles on this account; but it now seems to be decided to try the conspirators before a Military Tribunal, which will shortly be constituted here.

I am glad to be able to report, at the same time, that perfect order and tranquillity have existed in the capital as well as in the provinces during the last fortnight, and that I have received no information tending to show that the plot had any ramifications either among the garrison at Philippopoli or those of other important military centres.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONNOR.

Sir W. White to the Marquess of Salisbury.—(Received February 21.)

MY LORD,

Constantinople, February 17, 1890.

As reported to your Lordship by Her Majesty's Minister at Belgrade in his despatch of the 3rd instant, M. Voukovitch, the Acting Minister for Foreign Affairs, has been sent here by the Prince of Montenegro on a Special Mission.

He arrived here a week ago and has seen the Ottoman Ministers, and has had an audience of the Sultan. He tells me he proposes spending three weeks here, and that the object of his visit is to come to an understanding with the Sublime Porte as to the means of making embankments, so as to protect efficiently the banks of the River Boyana from inundations.

He says that there is an Austrian Company ready to incur the expense of doing this properly without any cost to the riverain States, and merely by remunerating itself by a rate to be levied from the lands recovered to cultivation; but the consent of Turkey is required for this purpose, and this the Montenegrin Minister says he has come to obtain. Questioned as to the desirability of

rendering the Boyana navigable, M. Voukovitch replied that this was no object for his country, as most of its soil was unproductive.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

Mr. O'Connor to the Marquess of Salisbury.—(Received by telegraph, February 22.)

MY LORD,

Sophia, February 22, 1890.

I HAVE the honour to inform your Lordship, with regard to my despatch of the 20th instant, that M. Stamboloff told me this morning that the question of the Russian claim for payment of the arrears due on account of the Russian military occupation of the Principality of Bulgaria in 1877 and 1878, which had not been paid since 1885, was considered in the Council of Ministers last night, and that it was decided to request Baron de Wangenheim to inform the Russian Government that this sum would be paid without any delay by the Bank of Bulgaria in Sophia upon a receipt being given to them in due form; but that with regard to the claim for 572,988 roubles for munitions of war handed over to the Bulgarian Government in 1878, Baron de Wangenheim should be requested to furnish details of the various military materials making up this amount.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Sir W. White to the Marquess of Salisbury.—(Received March 7.)

MY LORD,

Constantinople, February 28, 1890.

SINCE the discovery of the recent conspiracy in Bulgaria that Principality is again attracting attention at Constantinople, and the Turkish press, inspired from some mysterious quarter, is ventilating the idea that the Porte cannot much longer continue indifferent to what is going on there, and points to England and Austria as the two Powers sympathizing with the Bulgarians, and thus preventing the re-establishment of a legal state of things in that vassal State.

Whilst this is going on here, the Bulgarian Agent, Dr. Voukovitch, says (and he has told the Grand Vizier and the Turkish Ministers so very frankly) that the Government at Sophia, having preserved order and tranquillity during three and a-half years, constructed several lines of railway, &c., are entitled morally and equitably to more consideration on the part of the Suzerain Power, and that the Sultan, who ought to have the prosperity and tranquillity of that important vassal Principality at heart, should

now at last take the initiative in getting Prince Ferdinand properly recognized by the other Powers.

I need not trouble your Lordship with arguments on either side, as they are well known, but it is my duty to notice some symptoms which might at any moment bring this delicate question of recognition again to the front.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

Consul-General Blunt to the Marquess of Salisbury.—(Received March 7.)

MY LORD,

Salonica, February 26, 1890.

I HAVE the honour to transmit herewith, for the information of your Lordship, a copy of my Report of this date to Her Majesty's Ambassador at Constantinople upon the situation in Macedonia and Epirus, with particular reference to the state of affairs on the Bulgarian and Greek frontiers.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—Consul-General Blunt to Sir W. White.

SIR,

Salonica, February 26, 1890.

DURING my recent visit to the Vali, Galib Pasha, his Excellency, in the course of conversation, told me that tranquillity prevails on the Bulgarian and East Roumelian frontiers, and that the most recent reports from the Kaimakams of Djuma-bala, Razlog, and Nevrocop state that the Bulgarian authorities continue to act in concert with the Turkish authorities in preserving order on these frontiers. His Excellency admitted that it was in a great measure owing to this co-operation that the Sandjaks of Serres and Drama are no longer infested by brigands.

The other districts of the Vilayet of Salonica have also for some time past enjoyed comparative immunity from these pests; the military authorities, loyally aided by the country people, having pursued with success several bands of lawless characters, who, as reported in my despatch of the 26th September, 1889, were causing mischief in the districts of Ghevgheli, Tikvesh, and Kiuprulu. One band of eight Albanians, having kidnapped and held to ransom a Turkish land-owner of Ghevgheli, was pursued by the gendarmes, who succeeded in rescuing the captive and in eventually killing two and apprehending six of his captors.

In the month of November last another band, composed of eleven Albanians and one Vlach, plundered the Turkish mail from Salonica to Serres, after ruthlessly murdering the "Tatar" (courier)

and the two zaptiehs escorting him. The fact that this daring outrage was perpetrated at a point of the road in the immediate vicinity of Salonica naturally created great alarm in this place, which, however, was allayed by the prompt and vigorous action of the authorities. In less than ten days after the occurrence the military, who had been sent in pursuit, captured and brought to Salonica eight of the brigands. These offenders, who are now being tried by the court-martial here, have made a full confession, and disclosed the names and whereabouts of their confederates.

The district of Veria and the coast districts of Cassandra and Caterina, continue to be very quiet and free from brigands.

With regard to the latter district, the Second Dragoman of this Consulate-General, who has just returned from visiting his farm there, informs me that he had observed a very great improvement in the condition of this district. He says that brigandage has been suppressed, and public peace and security re-established in the country, mainly through the active and sustained co-operation of the rural volunteer police which the local authorities have organized on the same footing as the police in the Monastir Vilayet. It is a welcome and significant fact that not a single act of brigandage or highway robbery has been perpetrated in Caterina since this volunteer system of police was introduced, now a little over a year ago; whereas formerly the whole district was persistently overrun by numerous brigands, who were harboured by the villagers, either from fear or favour, owing to their exposed position near the mountains and the absence of proper means of defence.

The Province of Epirus has also enjoyed relative tranquillity during the last three or four months, owing more, I am told, to the severity of winter than to any special efforts of the authorities.

Moreover, I hear from various sources that manifest anxiety and uneasiness prevail in that direction as to passing events in Greece; and I may add that I observe in Turkish circles here similar disquietude and a growing apprehension that the excitement in Greece against Turkey, fomented as it is by the Greek press, may ere long lead to a revival of brigandage, if not to more serious disturbances on the frontier.

The report that the manoeuvres of the Greek army will take place in Thessaly this spring has also contributed to disturb still more the public mind, and revive misgivings as to Hellenic intentions.

The only local incident I have heard of as tending to confirm these misgivings is the discovery by the authorities of Veria of letters recently sent from Athens, inclosing newspaper cuttings with violent articles against Turkish administration, and exhorting

the Christians to prepare for a general rising, which will be sustained by arms and other assistance from Greece.

I have, &c.,

Sir W. White.

J. E. BLUNT.

Mr. O'Connor to the Marquess of Salisbury.—(Received March 7.)

MY LORD,

Sophia, February 27, 1890.

A SHORT time ago thirty-two young Bulgarians of Macedonia arrived at Sophia to complete their educational studies in the University which was opened here last autumn, and, referring to the reports which had appeared in the newspapers on the subject, M. Stamboloff gave me the following information this morning:—

He said that for the last twelve months the Servian Government had carried on an active political propaganda in the neighbourhood of Salonica and other parts of Macedonia where the Bulgarian population was largely in the ascendant, and that they had induced about 200 young Macedonians to come to Belgrade, where they would be received at the Servian College of St. Sava, and afforded the means of subsistence during the period of their collegiate course. Shortly after their arrival in the Servian capital they were asked to make a formal statement that they belonged to the Servian nation by race and creed, whereupon a certain number of them protested on the ground that they were Bulgarians, and requested to be sent back to Macedonia. The Servian Government apparently refused to give them the expenses of their return journey, upon which about thirty, who were distinctly Bulgarians, appealed to the Bulgarian Chargé d'Affaires and received from him the means of proceeding to Sophia, where those who were qualified were admitted into the University, and the others, whose education was less advanced, offered a small annual subsidy while prosecuting their studies in the Gymnasium. The Bulgarian Government had taken very little interest in the question, as they had no fear of Servian political propagandism in Macedonia taking any hold of the Bulgarian population in that province, and they had reluctantly consented to receive these students, who would be a considerable burden on the limited revenues at the disposal of the Minister of Public Instruction.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received March 7.)

MY LORD,

Sophia, March 1, 1890.

IN continuation of my despatch of the 22nd ultimo, I have the honour to report to your Lordship that Baron von Wangenheim, the German Acting Consul-General, received a note from the Bulgarian Government yesterday informing him that the sum of 8,867,000 fr. was deposited in the National Bank of Bulgaria for payment of the arrears due to the Russian Government on account of the expenses of the Russian occupation, and that the money would be paid over to him, or forwarded to Vienna, Berlin, or Paris, on his giving a receipt to the Bank.

On the supposition that the money due on this account was deposited at the Bank in half-yearly sums since January 1886, the value of the rouble was calculated at the rate of exchange prevailing during this period, thus effecting a considerable saving in the gross amount.

Baron von Wangenheim was at the same time requested to be good enough to procure the details of the claim for arms, ammunition, &c., ceded by the Russian Government on the evacuation of the Principality.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Consul-General Blunt to the Marquess of Salisbury.—(Received March 15.)

MY LORD,

Salonica, March 8, 1890.

WITH reference to my despatch of the 10th June, 1889, I have the honour to report to your Lordship that I have just heard that the Ottoman and Servian Governments are about to carry out the following measures, which have been recommended by the Commissioners they appointed last year for inquiring into the recurrent disorders on the Servian frontier, with a view to their prevention:—

1. To establish guard-houses at closer intervals, and increase the number of picket-posts between them ;
2. To make clearings in the thickly-wooded parts on both sides of the frontier ;
3. To repair and strengthen the "palissades" all along the frontier.

The Commissioners, I am also told, recommended that the Servian frontier-guard, which is chiefly composed of irregulars recruited from Albanian, Bulgarian, and Montenegrin fugitives, should be removed from the vicinity of the frontier, and replaced by regular troops ; but the authorities of Salonica have not yet been informed

if this desirable measure will be carried out by the Servian Government.

I may add that all the frontier posts on the Turkish side are occupied by regular troops.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

Consul Freeman to the Marquess of Salisbury.—(Received March 19.)

MY LORD,

Serajevo, March 14, 1890.

WITH reference to the alleged extensive emigration from the Herzegovina of the Orthodox population, alluded to in my despatch of the 6th January last, I am now able to furnish your Lordship with further details.

In the course of the year 1889 only twenty peasant families are said to have emigrated from Bosnia and Herzegovina to Servia and Montenegro. When the bonds of race, religion, and relationship existing between the people of Servia, Montenegro, Bosnia, and the Herzegovina are taken into account, when one considers the ease with which such emigrations are effected by a primitive people, whose wants are of the simplest, and goods and chattels of the scantiest, and, finally, when one remembers the constant passing to and fro of the populations of the aforesaid provinces which has occurred from time immemorial, twenty cannot be regarded as an important number.

Some families are also reported to have passed into Montenegro during the winter to occupy the lands of those who emigrated to Servia, but even persons who are prone to exaggerate such movements do not pretend that the number was great.

The local Government did much in the Herzegovina during the past winter to assist the needy, especially in the districts of Gacko, Bilek, and Nevesinje, and organized relief works to give employment to the able-bodied men. Hundreds might have found employment throughout the winter on the line of railway in the course of construction between Serajevo and Konjica, but whole gangs of men from the Herzegovina, sent up for that purpose at the expense of the Government, had to be returned to their homes from Konjica, again at the expense of the Government, because they resolutely refused to go beyond the frontier of the Herzegovina to work in Bosnia.

District money-chests have also been established, from which the peasants can obtain loans on the most favourable terms for the purchase of seed and food until next harvest.

That any further emigration is likely to take place at this season I much doubt. The winter is now past, and with the experience

before them of their neighbours the Montenegrins who passed into Servia, many of whom have already returned to their country through these provinces in a state of utter destitution, and been temporarily relieved by the local Government, it is hardly likely that the peasants of the Herzegovina will at present risk a change.

I have, &c.,

The Marquess of Salisbury.

EDWD. B. FREEMAN.

Mr. O'Connor to the Marquess of Salisbury.—(Received March 21.)

MY LORD,

Sophia, March 18, 1890.

IN my despatch of the 1st instant I had the honour to inform your Lordship that the Bulgarian Government had requested the German Representative, Baron von Wangenheim, to be good enough to furnish them with the details of the claim preferred on behalf of the Russian Government for arms and munitions of war ceded to the Bulgarian Government after the evacuation of the country by the Russian troops.

Baron von Wangenheim has now presented a statement of the details, from which it appears that the sum originally due amounted to 1,300,000 roubles, of which about 700,000 roubles were paid previous to the events of 1886.

Of the balance remaining due, 550,000 roubles are debited to the Government of the Principality, and 14,000 roubles to that of Eastern Roumelia.

The payment of the latter sum is now officially demanded from the Bulgarian Government.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONNOR

Sir E. Monson to the Marquess of Salisbury.—(Received March 26.)

(Extract.)

Athens, March 18, 1890.

YOUR Lordship will certainly have received from Her Majesty's Consul-General at Salonica a report of the desperate encounter between the Turkish troops and a band of Greek brigands which occurred on the 5th instant at a place called Perivolaki, near the Monastery of the Assumption, three hours from Ellassona, and four hours from the frontier, and which resulted in the extermination of most of the band. There have been several reported movements of brigands along the Greco-Turk frontier recently, and the "Acropolis" of yesterday contained an article upon the manner in which these outlaws find shelter and protection amongst the Greek peasants south of the frontier during the winter, and take advantage of the

approach of spring to cross the line and commit devastation upon the inhabitants of the Turkish provinces north of the line, who are just as much Hellenes as their near southern neighbours.

An Opposition Deputy, M. Typaldo, formerly Secretary-General at the Ministry of Foreign Affairs, took this subject as a text yesterday for a long attack upon the Government for its toleration of a system of harbouring such as is above referred to, and a very warm exchange of assertions and denials ensued between the Opposition and Ministerial Bench. Both M. Tricoupi and M. Dragoumis flatly denied that any such protection was extended in Greece to the brigands, and M. Tricoupi referred to the fact that during his administration the law has been amended in the sense of power being given to the Government to prosecute individuals for acts of brigandage committed on foreign territory.

The Marquess of Salisbury.

EDMUND MONSON.

Mr. O'Connor to the Marquess of Salisbury.—(Received March 31.)

MY LORD,

Sophia, March 24, 1890.

WITH reference to my despatch of the 1st instant, I have the honour to inform your Lordship that the money due by the Bulgarian Government on account of the Russian occupation of the Principality has been paid in full to the German Representative, acting on behalf of the Russian Government; that the first instalments have already been transmitted to the account of the Russian Government at the "Banque des Pays-Bas," in Paris, and that the whole amount will be paid over by the end of the month.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received March 31.)

MY LORD,

Sophia, March 24, 1890.

I HAVE the honour to report that the semi-official newspaper "Svobodá" states that Captain Mincheff of the infantry, and Captain Ivanoff and Lieutenant Stamenoff of the cavalry, have been dismissed from the active army for suspected complicity in the Panitza conspiracy.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Sir E. Monson to the Marquess of Salisbury.—(Received April 8.)

MY LORD,

Athens, April 2, 1890.

THE newspaper the "Acropolis" publishes this morning the following telegram from Trikkala in Thessaly:—

"A band of brigands formed in the village of Castania, near the frontier, went two days ago into Turkish territory; was attacked by Turkish detachments near Metrovo, and completely broken up, six of the brigands having been killed."

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

Mr. Baring to the Marquess of Salisbury.—(Received April 10.)

MY LORD,

Cettinje, April 3, 1890.

IN my despatch of the 15th November last I had the honour to report on the unsatisfactory state of affairs on the Turco-Montenegrin frontier, and added that though, in all probability, there would be a cessation of outrages during the winter months, fresh troubles would break out in the spring.

Unfortunately, this forecast appears to have turned out pretty correct, for the Turkish Minister informed me yesterday that a band of Montenegrins, numbering about twenty-five men, had crossed over into Hotti by Trebshi, and had prepared an ambuscade. The Albanians, however, discovered their intentions, and advanced to attack them. Shots were exchanged, but Tewfik Bey had not heard whether there had been any loss of life.

Tewfik Bey told me that unfortunately the agreement drawn up about two years ago by Djevad Pasha and the Voivode Radonich, and signed by the tribal Chiefs, was evidently now considered a dead letter. The Montenegrins had been the first to violate it, and the Albanians no longer thought themselves bound by its terms. His Excellency is no doubt sincerely anxious to come to some arrangement with the Montenegrin Government with a view to preventing frontier outrages, but the plan he appears to favour does not seem to me to be a very practical one. His idea is to stop intercourse between the frontier populations as much as possible by the introduction of a vigorous passport system. No one would be allowed to pass the frontier except at certain points to be agreed upon by the authorities. The passport system already exists in Turkey, but it does not exist in Montenegro, and Tewfik Bey is of opinion that the Montenegrin Government should allow no Albanian across the borders without a passport.

A vigorous passport system, as far as I am aware, hinders the

movements of respectable people, but does not prevent suspicious characters from going where they please. I do not suppose that the twenty-five Montenegrins who recently made a raid into Hotti took care to have their passports in order before they started. A regulation may be issued that people can only cross from Montenegro into Albania at certain points, but it would be a dead letter unless the whole frontier were carefully guarded, and how this is to be done is not clear.

I did not gather from Tewfik Bey that he had as yet placed any proposal of this sort officially before the Montenegrin Government.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. O'Connor to the Marquis of Salisbury.—(Received April 18.)

MY LORD,

Sophia, April 11, 1890.

WITH reference to my despatch of the 24th ultimo, I have the honour to report that the Bulgarian Government has remitted the whole sum claimed by the Russian Government on account of the military occupation of Bulgaria; a receipt for the same on behalf of the Russian Government has been given in the form published by the "Bulgarie," copy of which I beg to inclose to your Lordship herewith.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

(Inclosure.)—Extract from "La Bulgarie" of April 10, 1890.

FRAIS DE L'OCCUPATION RUSSE.—Quelques journaux étrangers, dont la malveillance à l'égard de la Bulgarie est incurable, se sont permis de prétendre que le Gouvernement Princier n'a pas encore pu payer les échéances des frais de l'occupation Russe. Pour couper court à ces raconteurs ridicules, nous publions ci-après le texte même de la quittance que le Représentant d'Allemagne à Sophia, agissant au nom de la Russie, a délivré, le $\frac{3}{10}$ Mars dernier, au Gouvernement de Son Altesse Royale le Prince. Voici ce document :—

"Consulat-Général de l'Empire d'Allemagne en Bulgarie,

"Sophia, le $\frac{3}{10}$ Mars, 1890.

"En vertu du pouvoir qui lui est délégué par le Gouvernement Impérial d'Allemagne sur la base de la note en date du 13 Février, 1890, du Gouvernement Impérial de Russie, d'encaisser pour le compte du Gouvernement Russe les annuités qui, conformément à la Convention du $\frac{1}{2}$ Juillet, 1883, pour le paiement des frais d'occupa-

tion de la Principauté par les troupes Russes, sont échues jusqu'aujourd'hui ;

“Le Soussigné, Gérant du Consulat-Général d'Allemagne, chargé de la protection des intérêts Russes en Bulgarie, déclare avoir reçu de la Banque Nationale Bulgare à Sophia, au nom et pour compte du Gouvernement de la Principauté de Bulgarie, la somme de 8,867,000 fr. en or, représentant la contre-valeur de 3,600,000 roubles, afférente au paiement des annuités suivantes :—

					Roubles.
“ Pour le $\frac{1}{2}$	Janvier, 1886	..	..	..	400,000
”	„ Juillet, „	..	..	..	400,000
”	„ Janvier, 1887	..	..	..	400,000
”	„ Juillet, „	..	..	..	400,000
”	„ Janvier, 1888	..	..	..	400,000
”	„ Juillet, „	..	..	..	400,000
”	„ Janvier, 1889	..	..	..	400,000
”	„ Juillet, „	..	..	..	400,000
”	„ Janvier, 1890	..	..	..	400,000
En total					3,600,000

“Et par la présente donne quittance pour la dite somme aux fins qu'elle serve auprès de qui de droit.

“WANGENHEIM, *Gérant du Consulat-Général d'Allemagne, chargé de la protection des intérêts Russes en Bulgarie.*”

Mr. O'Conor to the Marquess of Salisbury.—(Received April 18.)

(Extract.)

Sophia, April 14, 1890.

As regards the position created for the Bulgarian Acting Agent at Belgrade in consequence of the incident of the Macedonian students, I have the honour to state that M. Stransky's choice for this post appears to be M. Dimitroff, the present Prefect of Philipopoli, and to have been dictated in the hope that the appointment of so well-known and experienced an official would be agreeable to the Servian Government, and tend to maintain the friendly relations with that country which the Bulgarian Government had so much at heart.

The Acting Servian Agent here, M. Petkovitch, as also I believe M. Minchovitch, are both absent for the moment from their posts.

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received April 18.)

(Extract.)

Belgrade, April 13, 1890.

My Turkish colleague has remonstrated with the Servian Government in consequence of a serious raid by about 200 Montenegrin immigrants, assisted by some Servian frontier Pandours, upon a Turkish village, all the cattle being driven off over the frontier while the Mussulmans were at mosque two Fridays ago. The Servian Government were apparently quite unaware of these facts, but Mahmoud Nédim Bey was yesterday informed by the Servian Government that the reported circumstances had since been inquired into and confirmed, with the result that all the ringleaders are now imprisoned and awaiting trial before the District Court of Prokouplia.

I must mention an incident on the occasion of this raid, namely, the slaughtering of a number of cattle at the place of capture, as corroborative of the reported famished state of the raiders.

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received April 28.)

(Extract.)

Belgrade, April 20, 1890.

I YESTERDAY spoke again with the Minister and the Secretary-General for Foreign Affairs on the subject of terminating the present tension in the relations with Bulgaria by reciprocal and simultaneous appointments of titular Agents, and I urged the advisability of a good understanding between two kindred and neighbouring peoples whose community of interests had been singularly exemplified by an identity of views at the recent International Railway Conference of Vienna, as well as by the arrangement entered into between them some months previously with eminent success for cheap rates for carriage of Bulgarian wheat northwards through Servia, in consequence of the inordinate charges maintained on the Turkish railways for such carriage southwards.

I also drew the attention of both gentlemen to the readiness evinced by the Bulgarian Government to appoint a titular Agent if a similar course were adopted here.

General Gruitch professed as usual much concern for the maintenance of friendly relations with all neighbours; but his Excellency was reticent, and apparently doubtful, as to the precise manner in which so desirable an end could be attained in the present instance, while his subordinate only repeated to me the plea put forward by his chief some time ago, that there was no one at the disposal of the Government just now fit to be intrusted with so delicate a mission.

To this I observed that, provided the person selected were generally unobjectionable, his special suitability was a minor point, as he might afterwards be changed at any moment; but what I thought of paramount importance at the present juncture was the principle involved, by promptly filling up the vacant posts.

The Marquess of Salisbury.

F. R. ST. JOHN.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, April 29.)

SIR,

Salonica, April 21, 1890.

I HAVE the honour to report to your Excellency that the Bulgarian Bishop Theodosius has been recently dispatched to Uscup by the Bulgarian Exarch to reside in that town, and exercise spiritual jurisdiction over the Bulgarians in the Vilayet of Cossova.

He was the bearer of an order of the Porte directing the Vali of Cossova to recognize and support his episcopal authority, and I hear that he has been installed in his office with the customary ceremonies.

The small Greco-Vlach community, and the Greek Archbishop of Uscup, at the instigation of the Greek and Servian Consuls, tried to get up an agitation against Bishop Theodosius, but met with no encouragement from the Turkish authorities.

I have, &c.,

Sir W. White.

J. E. BLUNT.

Sir W. White to the Marquess of Salisbury.—(Received May 2.)

(Extract.)

Constantinople, April 19, 1890.

I HAVE to report to your Lordship a circumstance which has lately occurred in connection with the old grievance of the Bulgarian Church in relation with its dioceses in Macedonia.

Your Lordship will possibly bear in mind that the Bulgarian Exarch repeatedly claims, but without success, the re-establishment of Bulgarian Sees in that province. His Beatitude rests his claim on the Imperial Firman constituting the Bulgarian Church, and the Exarch as its ecclesiastical chief in Turkey, and I believe that two Sees had actually Bulgarian Bishops up to the breaking out of the late Russian war, but the Porte has persistently resisted allowing Bulgarian Bishops in Macedonia ever since, and has received an unofficial support in that resistance from some foreign Embassies, and an open one from the Œcumenical Patriarch, who, as well as the Greeks, looks upon the Bulgarian Church as schismatical, while

the pressure exercised by Russia up to 1885 in favour of these Bishoprics proved itself inefficient to overcome this resistance.

A few weeks ago I heard privately that the Grand Vizier, moved by the repeated representations of the Exarch, had given his consent to allow his Beatitude to send a Bishop to Uscup in Macedonia on a visit, so as to consecrate different Bulgarian churches lately constructed, and administer those ecclesiastical ritual functions which can only be performed by a Bishop in the Eastern Churches, of which the Bulgarian is one.

The absence of any Bishop for so many years is a constant matter of complaint to members of that Church in Macedonia, and I admit that personally I consider this decision of the Grand Vizier to have been in the right direction, and both in the spirit and in the letter in conformity with the Treaty of Berlin, which, in Article LXII, specially provides "that no hindrance should be offered either to the hierarchical organization of the various communities, or to their relations with their spiritual chiefs."

The Bulgarian Church, in the Ottoman dominions, is a community organized by Imperial Decree, and its chief, the Exarch, resides at Constantinople, and is a Turkish subject.

I have recently heard that the Porte have since regretted this decision, and that the Vali at Uscup is throwing obstacles in the way of the visiting Bishop to prevent him from carrying out his episcopal functions.

I am, however, unable to say what truth there may be in this allegation.

The Marquess of Salisbury.

W. A. WHITE.

Sir W. White to the Marquess of Salisbury.—(Received May 2.)

(Extract.)

Constantinople, April 19, 1890.

WITH reference to the subject of the Bulgarian Church in Macedonia, mentioned in my preceding despatch of this day, it may be as well for me to mention that agitators in Bulgaria are trying to persuade the people that it is owing to the illegal character of the present Government at Sophia, and to the want of Russian support, in consequence, at Constantinople, that the religious privations of their co-religionists in Macedonia are to be entirely ascribed.

The Marquess of Salisbury.

W. A. WHITE.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received May 2.)

(Extract.)

Belgrade, April 28, 1890.

GENERAL GRUITCH informed me to-day that he had received an intimation from the Bulgarian Government of their intention of appointing M. Dimitroff, the Prefect of Philippopoli, as their Agent at Belgrade.

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received May 2.)

MY LORD,

Sophia, April 26, 1890.

WITH reference to my despatch of the 14th instant, I have the honour to report to your Lordship that M. Stransky informed me this morning that M. Petkovitch had called upon him on his return from Belgrade yesterday afternoon, and had given him assurances, on the part of the Servian Minister for Foreign Affairs, of the desire of his Government to maintain friendly relations with Bulgaria, and to put an end to the discussions arising out of the proceedings of M. Minchovitch with regard to the Macedonian students.

M. Stransky said that he was most anxious for an amicable settlement, and that he had accordingly requested M. Petkovitch to ask whether it would be agreeable to the Servian Government to receive M. Dimitroff, at present Prefect of Philippopoli, as Bulgarian Diplomatic Agent at Belgrade. In case of an affirmative answer, of which he had no reason to doubt, he would at once appoint M. Dimitroff to that post, and rest satisfied with the assurances of the Servian Government that they would at an early opportunity also appoint a titular Agent at Sophia.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, May 5.)

SIR,

Salonica, April 28, 1890.

WITH reference to my despatch of the 21st instant, I have the honour to report to your Excellency that the presence at Uscup of the Bulgarian Bishop Theodosius appears to have produced some discontent and agitation in the Greco-Vlach community of that place.

I inclose a translated extract from the Greek newspaper the

"Pharos of Macedonia," as well as the copy of a letter from a Bulgarian correspondent at Uscup, on the subject.

It is now rumoured here that the Bulgarian Exarch is trying to obtain the permission of the Porte to send Bishops to Kiuprulu (Velès), Monastir, and Ochrida, three important Bulgarian centres in Macedonia.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—*Extract from the "Pharos of Macedonia" of April 23, 1890.*

(Traduction.)

ON nous écrit bien des choses sur la conduite des Bulgares à l'arrivée de leur Évêque.

Malgré que cet Évêque n'est pas muni d'un Bérat, et n'est pas par conséquent officiellement reconnu, tout de même les Bulgares ne peuvent pas dérober leur joie qu'ils manifestent; tout au contraire, publiquement d'une manière provoquante et scandaleuse à la fois, notre correspondant nous notifie les injures qui sont lancé en pleine rue contre l'Archevêque Païssios, et les Hellènes en général, injures que nous dédaignons d'énumérer, et que seul les dignes descendants de Kroum sont capables de prononcer.

Nous n'aurions pas fait mention de ces actes du fanatisme sauvage des Bulgares si l'indignation avec laquelle notre correspondant parle de la façon d'agir de ces Bulgares vis-à-vis de leurs concitoyens Orthodoxes et leur Évêque ne nous permettait pas de les passer sous silence.

(Inclosure 2.)—*Letter from a Bulgarian Correspondent.*

Uscup, le 22 Avril, 1890.

L'ÉVÊQUE Bulgare, Mgr. Theodosius, est arrivé à Uscup tout à fait tranquillement. Il s'est rendu immédiatement chez son Excellence le Vali, et lui a remis les lettres dont il était muni de la part de son Altesse le Grand Vézir. Sa réception a été cordiale. A la suite l'Évêque a été dans l'église Bulgare, où la population Bulgare l'attendait, et a fait des prières pour la conservation du Sultan, et un discours plein de bons conseils.

Jeudi soir, quand l'Évêque a voulu officier dans l'église, le Vali l'interdit, ce qui a fort inquiété la population Bulgare; et la communauté Bulgare a adressée des plaintes télégraphiquement à Sa Majesté le Sultan, à son Altesse le Grand Vézir, et à sa Béatitudo l'Exarque Bulgare. Samedi, la veille de Pâque, le Vali a fait savoir à la communauté que l'Évêque était libre de célébrer les offices, et qu'il devait se borner à exercer ses devoirs ecclésiastiques sans

s'immiscer dans les affaires politiques et administratives du pays, vu qu'il ne pouvait le reconnaître comme Métropolitain, mais simplement comme Évêque.

Dimanche, le jour de Pâque, l'Évêque s'est rendu à l'église, qui était remplie d'une foule énorme d'assistants, et a solennellement célébré la Messe de la Résurrection au milieu de la plus parfaite tranquillité.

Le bruit court à Uscup que les Consuls de Grèce et de Serbie ont fait tout leur possible auprès du Vali, et ailleurs, afin que l'Évêque Bulgare ne soit pas reconnu par les autorités; et on dit même que le Métropolitain Grec Païssios a protesté par une lettre au Vali contre la présence d'un Évêque Bulgare dans son diocèse.

Le Consul Serbe est parti pour Belgrade.

Le jour de Pâque beaucoup de ceux des Bulgares qui reconnaissait le Patriarche Grec se sont rendus auprès de l'Évêque Bulgare pour lui exprimer leurs hommages, et le saluer avec "Christos Voskressé" ("Christ est ressuscité").

Le jour de Pâque un grand scandale a eu lieu dans l'église Grecque. Le Métropolitain Grec Païssios, pour cajoler quelques Bulgares-Grécomanes, a ordonné le prêtre de lire l'Évangile d'abord en Slave et puis en Grec; mais M. Chondrodimos, chef du parti Grecque, d'accord avec le Consul Hellénique, a poussé des cris dans l'église contre le Métropolitain Païssios et le prêtre, proférant même des menaces contre ce dernier; les assistants, dégoûtés de ce scandale, ont quitté l'église.

Les Bulgares sont très heureux d'avoir un Évêque pour administrer les affaires de leurs églises, et qui les protégera par son appui moral contre les intrigues du Métropolitain Grec.

Mr. O'Conor to the Marquess of Salisbury.—(Received May 16.)

MY LORD,

Sophia, May 12, 1890.

I HAVE the honour to inform your Lordship that the trial of Major Panitza and his accomplices in a plot for the dethronement of Prince Ferdinand and the overthrow of the existing Government is announced to begin on the 15th instant before a special Military Tribunal.

The indictment, published in the semi-official newspaper "Svobodá" of the 10th instant, states that the plot originated at an interview at Giurgevo in 1887 between a Secretary of the Russian Legation at Bucharest, named Viliamoff, and Major Panitza, and that the negotiations were subsequently continued by other officials of that Legation and the Russian subject Kalobkoff, who,

together with nine officers and four civilians, is now in prison awaiting his trial.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received May 16.)

MY LORD,

Sophia, May 12, 1890.

WITH reference to the information reported to your Lordship in my despatch of the 26th ultimo, that the Bulgarian Government had inquired at Belgrade whether the Servian Government would be willing to receive M. Dimitroff, at present holding the post of Prefect of Philippopoli, as Bulgarian Agent and Consul-General, I have the honour to state that M. Stransky informed me on the 10th instant that he had received a favourable answer from the Servian Government, and that the Princely Decree appointing M. Dimitroff to Belgrade had just been signed by His Royal Highness Prince Ferdinand.

M. Stransky added that he hoped this proof of friendly feeling on the part of the Bulgarian Government would be reciprocated as soon as possible by the appointment of a titular Servian Agent to Sophia, and that, for his own part, he would be glad to see the renewal of the negotiations for a Commercial Treaty between the two countries, which he was well aware would do much to cement their good relations.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received May 22.)

MY LORD,

Sophia, May 15, 1890.

WITH reference to my despatch of the 12th instant, I have the honour to inform your Lordship that the continuation of the indictment in the Panitzza case states that the letters and papers found prove conclusively that Kalobkoff was carrying on his plot for the overthrow of the present Government, not only with the full knowledge and countenance of the Russian Legation at Bucharest, but also that M. Zinovieff, the Head of the Asiatic Department at the Russian Foreign Ministry, and even "higher officials" were privy to it; also, that M. Dragan Zankoff was, at the same time, carrying on similar intrigues.

It appears that the return of Prince Ferdinand from Europe on the 3rd November last was to have been the occasion for carrying out the plot, but owing to the arrangement being changed at the last minute, and also to the absence of the Ministers of War and

Finance, the plan failed. The design was to arrest the Prince and Ministers at the railway station (the guard of honour having been won over to the plot), confine them in some secret place, and form a Coalition Ministry, the country being meanwhile governed by the Russian General Domontovitch (who was awaiting the signal to leave for Sophia) until the election of a new Prince; this latter task had already been facilitated by Russia, by whom three candidates had been proposed.

A second and determined attempt was made on the night of the 23rd-24th January last, when Panitza and Rizoff proceeded at midnight to the house of Lieutenant-Colonel Kissoff, the Brigade-Commandant, and offered him the supreme army command if he would join; but upon Colonel Kissoff's refusing, the conspirators retired with vague designs of an attempt to execute the plot on the occasion of a ball to be given at the Palace on the night of the 30th. The disclosure of the plot, however, by Colonel Kissoff, put an end to these plans.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received May 22.)

MY LORD,

Sophia, May 15, 1890.

WITH reference to my despatch immediately preceding, I have the honour to report to your Lordship that the trial of Major Panitza and his fourteen accomplices was begun to-day before a special Military Tribunal. The Court was presided over by Major Drandarevski, Commandant of the 3rd Infantry Brigade, and consisted of the following officers: Majors Marinoff, Commandant of the 1st Infantry Brigade; Petroff, Commandant of the 6th Infantry Brigade; Tsoncheff, commanding the 6th Infantry Regiment; and Andréoff, commanding the Pioneer Regiment. The Military Procureur, Major Markoff, appeared to prosecute; the prisoners were represented by civil counsel (with the exception of Stefan Matéeff, a barrister, who elected to carry on his defence himself); military counsel were also named by the Tribunal for each prisoner.

After the Tribunal had taken the usual oath, the prisoners were interrogated as to their age, nationality, &c. Upon Kalobkoff's stating that he was a Russian subject, the Procureur requested the Court to invite the German Consulate-General (representing Russian interests) to cause the usual delegate to attend, whereupon the German Consular Dragoman, who was in Court, announced that he was delegated to represent the Consulate.

The counsel for the defence having declared that the indictment had only been communicated to them on the day preceding, and

that in consequence it had been materially impossible to prepare their defence, the Procureur agreed to an adjournment of the case, and the Court fixed Tuesday next, the 1st instant, for the proceedings to commence.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury. — (Received May 22.)

(Extract.)

Sophia, May 17, 1890.

I FOUND M. Stamboloff in a great state of exasperation to-day in consequence of news which he had received of the expulsion from Uscup of the Bulgarian Bishop, Mgr. Theodosius, lately appointed by the Exarch, with the consent of the Porte, to that See.

Had I not called upon him, he proposed, he said, in the course of the day calling upon me and my Austrian and Italian colleagues to request that we would earnestly beseech our respective Governments to use their influence with the Sublime Porte to stay that Government in a course of action which could only result in disastrous consequences.

I endeavoured to impress upon M. Stamboloff the imprudence of any hasty or precipitate action, which, instead of leaving room for negotiations based on the permission lately accorded by the Porte in favour of Mgr. Theodosius, would put the Bulgarian Government in the wrong, and probably result in making the Sultan regret that he had even accorded a temporary concession.

The incident has caused a very disagreeable impression here, and the semi-official press is loud in its complaints of the action of the Porte.

The Marquess of Salisbury.

N. R. O'CONOR.

Consul-General Blunt to the Marquess of Salisbury. — (Received May 22.)

MY LORD,

Salonica, May 16, 1890.

WITH reference to my despatch of the 28th ultimo, I have the honour to report to your Lordship that the Bulgarian Bishop Theodosius, who was lately appointed to the Vilayet of Cossova, has been summoned by the Exarch to Constantinople. He took his departure from Uscup last week.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

Mr. O'Connor to the Marquess of Salisbury.—(Received May 30.)

MY LORD,

Sophia, May 25, 1890.

WITH reference to my despatch of the 15th instant, I have the honour to inform your Lordship that the concluding part of the Government indictment against Major Panitza and the other officers and civilians accused of a plot against the Prince and the Bulgarian Government shows that Major Panitza tried to persuade his accomplices that the dethronement of Prince Ferdinand was the only means of avoiding a Russian occupation, and that the revolution would be approved by the Russian Government. It concludes:—

1. That Major Panitza, while serving in the army, organized and conducted a plot against the life of His Royal Highness the Prince and the Ministers, with intent to effect a revolution.

2. That Major Panitza entered into negotiations with a foreign State hostile to the Prince and Government, with intent to furnish it with means to accomplish its hostile intentions.

3. That Major Panitza, on the ^{11th}/_{23rd} January, 1890, with his adherents, Arnaoudoff and Sub-Lieutenant Rizoff, attempted to carry out the plot.

4. That Major Panitza, even after his unsuccessful attempt on the ^{11th}/_{23rd} January, did not give up his intentions, but continued to work for the realization of the plot.

5. That Major Panitza compelled Dr. Mirkoff, Chief Army Surgeon, to write a letter to persuade the Commandant of Sophia, Lieutenant-Colonel Kissoff, to join in the plot; and

6. That Major Panitza otherwise sought to induce Lieutenant-Colonel Kissoff to take part in the plot, and to cause the army to mutiny.

It further states that the Russian subject, Porfiri Kalobkoff, wilfully and knowingly intrigued between Major Panitza and the Russian Legation at Bucharest respecting the negotiations and conditions for the organization and realization of the plot, and that he sought to persuade Bulgarian officers and civilians to effect a revolution, and adds that the Public Prosecutor hands over the accused to the Military Court specially constituted for judging the case, and asks that the proper penalty be pronounced against each of the accused.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received May 30.)

MY LORD,

Sophia, May 26, 1890.

WITH reference to my despatch of the 15th instant, I have the honour to report, with regard to the proceedings in the trial of Major Panitza and the other accused on the 21st, 22nd, 24th, and 26th instant, that, after some discussion as to the competency of the Tribunal, the counsel for the Russian subject, P. Kalobkoff, protested against the competency of the Court to try his client, on the ground that he was described in the official "Acte d'Accusation" as a trusty and accredited agent of the Russian Legation at Bucharest, and therefore entitled by the Capitulations to extraterritorial immunity; but the Military Procurator denied that the fact of Kalobkoff's having been employed by the Russian Legation gave him diplomatic privileges, and the Court rejected the protest.

Major Panitza denied that he was anxious to bring back the Russians, or that he had any intentions against the life of the Prince. He admitted, however, that if the revolution had succeeded General Demontovich was to be appointed Russian Agent; but he believed himself that the country would have recalled Prince Alexander. He implicated very seriously Lieutenant-Colonel Kissoff, the Military Commandant of Sophia, in the conspiracy, but stated that when he ascertained on the 14th January last that he could not absolutely count upon him, he renounced all further ideas of revolution.

P. Kalobkoff admitted the cyphered correspondence between him and Jacobson, Dragoman to the Russian Legation at Bucharest, referred to in the "Acte d'Accusation," and which will probably be published later on *in extenso*, and it was pretty well established that M. Hitrovo was aware of this correspondence. At the same time, Kalobkoff very cleverly tried to embarrass the Government by repeatedly asserting that the allusions to revolution, remittances of money, &c., mentioned in his correspondence, referred to political agitation in Macedonia, and to his contract for Berdan rifles; but the Procurator pointed out that in this case it was difficult to understand the references to the Sobranjé, Stamboloff, and the necessity of winning over the Deputies, &c. Kalobkoff's manœuvre, however, strangely diverted the attention of the Court from the direct matter at issue to the agitation in Macedonia, and elicited a statement from Major Panitza that he had acted there with the knowledge of the Ministers.

The rest of the accused denied their guilt, and Major Panitza exculpated them from all participation in his plot, by stating that his real associates had not been summoned to the bar of the Court.

The proceedings will probably continue till the end of the week, when judgment will be delivered.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received May 30.)

(Extract.)

Belgrade, May 27, 1890.

I HAVE the honour to report the arrival here of M. Peter Dimitroff as Diplomatic Agent of Bulgaria, and that he was officially received on the 24th instant by the Servian Minister for Foreign Affairs, to whom M. Dimitroff was accredited by a letter from the Minister for Foreign Affairs of Bulgaria.

The Marquess of Salisbury.

F. R. ST. JOHN.

Consul-General Blunt to the Marquess of Salisbury.—(Received June 2.)

MY LORD,

Salonica, May 28, 1890.

I HAVE the honour to transmit herewith, for the information of your Lordship, a copy of a Report from Mr. Vice-Consul Shipley relative to the revival of brigandage in the Vilayet of Monastir.

I fully indorse Mr. Shipley's statements with regard to the peaceable and industrious disposition of the Bulgarians in Macedonia, as well as with regard to the danger to public tranquillity which will result from a return to the old system of "poljaks," or village guards.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—Vice-Consul Shipley to Consul-General Blunt.

SIR,

Monastir, May 17, 1890.

I HAVE the honour to report to you that on the 3rd instant, as a party of "kiradjis," or local carriers, were proceeding from Monastir to Salonica with merchandize, they were stopped by a band of twelve men on the high road at a spot not far from the Pass of Fornitchovo, and robbed of a sum of 300 Turkish liras, the property of certain Monastir merchants, which had been intrusted to them for conveyance to Salonica.

As this is the second highway robbery which has taken place in the vilayet during the past two months, perfect immunity being in both cases enjoyed by the robbers, the inhabitants fear, not unreasonably, that the province is entering upon a period of insecurity and disorder such as existed some four or five years ago, when it

was scarcely considered safe to venture more than half-an-hour's distance from the town. Only some five or six weeks ago a Christian was found murdered in broad daylight just outside the village of Dihovo, in the immediate vicinity of Monastir, and though too much stress perhaps should not be laid on this and one or two other similar outrages which have undoubtedly occurred during the past winter, it is impossible to ignore the gravity of the fact, that in no single instance have the criminals been punished in a manner at all adequate to the offence, whilst in the majority of cases they have escaped punishment altogether. The outrage at Bruznik, reported in my despatch of the 12th February, is a case, an extreme one no doubt, in point; but others could be mentioned, such as, for instance, the murder of a Christian last year at Christofor, a village also in the vicinity of Monastir, and where the murderer, a Mussulman, was set at liberty after a short term of imprisonment, for what reason I have been unable to discover.

It is no doubt true, as I had the honour to state in my despatch above referred to, that the unwillingness of the villagers to come forward with their evidence is a serious hindrance in the way of the authorities in their efforts towards the suppression of crime. Nominally, indeed, the system of "fakhry," or honorary local police, is still in existence, but unless greater encouragement is extended to it by the authorities than is at present the case, it will very shortly become practically inoperative as far as any aid towards the suppression of brigandage is concerned. In this case, I cannot help thinking that a very grave responsibility will rest upon the authorities; for whilst the resources at their disposal for the maintenance of order are what they were in Rifaat Pasha's time, certain of the difficulties, such as the mountainous nature of the country, and the want of an Extradition Treaty with Greece, which in this vilayet, unfortunately, are peculiarly favourable to the existence of brigandage, have by no means diminished. It is, I am aware, urged by the objectors to the "fakhry" system, that to arm some 6,000 or 7,000 Bulgarians is a dangerous experiment, and must eventually lead to their total emancipation. I endeavoured in my despatch of the 14th February of last year to show that these fears, whatever justification, ultimately speaking, there might be for them, were, at all events, premature; and I would now venture to add, after a longer experience of the vilayet, that it is difficult to see by what method, short of absolute extermination, the opponents of Rifaat Pasha's policy propose to prevent the eventual emancipation of an element which forms, in the northern part of the vilayet at least, the vast majority, I might almost say four-fifths, of the agricultural part of the population. The ultimate strengthening and development of an element such as this, which is in the main peaceable and industrious,

can scarcely, whatever its political direction, be anything but a matter of time.

Unfortunately, these and similar considerations are likely to have very little weight with those interested in the maintenance of abuses in Macedonia. As it is, one or two "poljaks," or village guards, have, I am informed, been already reappointed, and applications, I understand, are being made on behalf of others. It is sincerely to be hoped that the authorities will give as little encouragement to this movement as possible, for there can be but little doubt that a return to the above system, with its attendant abuses and oppression of the people, would constitute a real danger to the tranquillity of the vilayet, and would not improbably lead to a revival of the old "comitats," with a repetition of the scenes described by Lieutenant-Colonel Trotter in 1885. It should, moreover, be remembered that the population, though to a degree patient and long-suffering, cannot have remained entirely ignorant of what has been going on around them during the past few years; and it may at least be questioned whether the same passive submission which has hitherto characterized them may be looked for in the future. I have certainly no wish to represent them as being otherwise than what they really are, viz., essentially peaceable and well disposed, but it is, nevertheless, possible that in isolated cases the villagers might be tempted to offer resistance to the more obnoxious forms of oppression; and though the movement would, no doubt, very speedily be suppressed with more or less severity by the Turkish authorities, it could scarcely fail to lead to complications which would be turned to account for their own purposes by the various political agitators who from time to time make their appearance in Macedonia.

I have, &c.,

J. E. Blunt, Esq.

H. S. SHIPLEY.

P.S.—Since writing the above, I have learned that, thanks to the energy of Mehmet Pasha, the Commandant of gendarmerie of the vilayet, the majority of the individuals concerned in the Fornitchovo robbery have been captured.

H. S. S.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 2.)

MY LORD,

Sophia, May 30, 1890.

WITH reference to my despatch of the 26th instant, I have the honour to report that the Military Tribunal pronounced its verdict in the Panitza plot at half-past 2 o'clock this morning, having sat uninterruptedly for about sixteen hours.

The Court found Major Panitza guilty of entering into negotia-

tions with the Russian Legation at Bucharest, through the Russian subject, Kalobkoff, with intent to dethrone the Prince; of preparing a plot to seize the person of the Prince and Ministers by means of the military guard at the railway station on His Royal Highness' return from abroad; of proceeding at night to commence the execution of the plot; and of forcing Dr. Mirkoff, by threats, to write to Lieutenant-Colonel Kissoff.

Under Articles 49 and 55 of the Ottoman Criminal Code, the Court sentenced Major Panitza to be shot, with power to appeal to the Prince to commute the sentence to fifteen years' penal servitude.

The Russian subject, Kalobkoff, was found guilty of intriguing with officials employed in the Russian Legation at Bucharest with intent to effect a plot in Bulgaria to dethrone the Prince; and of seeking to gain over Bulgarian subjects, civil and military, to take part in the plot. He was sentenced to nine years' imprisonment.

Several of the other accused were condemned to imprisonment varying from six to three years, and six were acquitted.

The sensation produced in Court and amongst the public by the sentence of death pronounced against Major Panitza was very great, especially as the Public Prosecutor had laid great stress on the services rendered to the country by the accused; and he himself had largely won public sympathy by his chivalrous conduct in assuming all the guilt of the conspiracy, and earnestly repudiating connivance with the Russians.

It seems to be doubted whether Major Panitza will personally appeal to the Prince for a commutation of his sentence, but I understand that an appeal against the sentence will be made by the legal channel to the Military Court of Cassation.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 6.)

MY LORD,

Sophia, May 31, 1890

M. STREANSKY, the Minister for Foreign Affairs, told me this morning that he had heard from M. Dimitroff, the newly-appointed Diplomatic Agent at Belgrade, that he had been received in a very friendly way by the Regents and the Minister for Foreign Affairs, who gave him satisfactory assurances of their desire to maintain intimate relations with this country.

The formation of a band of sixty or seventy Bulgarian refugees, Montenegrins, &c., near Trn, with the object of raiding across the Bulgarian frontier, afforded the Servians a good opportunity of

giving immediate effect to their friendly dispositions by warning them of the impending danger, but they had preserved a discreet silence; the news had been received from their own authorities on this side of the frontier.

It was evidently impossible that such a large band of filibusterers could exist without the cognizance of the Servian Government, and their silence had made a disagreeable impression here. However, full precautions had now been taken, and he trusted the military contingent dispatched to the district would have a chance of inflicting summary punishment on the aggressors.

It was a curious fact, that at the same time the Servian Government were professing to be seriously alarmed by the presence of a few additional regiments at Koula (Adlie), a place situated close to Viddin, and not far from the Servian frontier, and asking for explanations.

In remarking on this and somewhat similar information communicated to me from time to time by the Bulgarian Government, I have strongly advocated the policy of not allowing such incidents to lead to reprisals, or seriously to disturb the official relations between the two countries. I have urged that allowance must be made for the present political situation in Servia, of which the ultimate outcome was at present difficult to foretell, and that the Bulgarian Government would gain in the estimation of Europe by exercising prudence and self-control, and score politically by being able at any moment to take advantage of any favourable dispositions springing up amongst the Radicals towards this country, and tending towards common action for mutual defence.

The projected raid mentioned by M. Stransky coincides curiously with news from the Roumanian Government of unusual activity among the Bulgarian refugees collected in large numbers opposite Rahovo, Sistovo, Roustchouk, and Silistria, and rather leads to the belief that these movements were timed in connection with the Panitzza trial, in the hope of producing a feeling of uneasiness in the country.

I have, &c.,

The Marquess of Salisbury.

N. B. O'CONNOR

Mr. Baring to the Marquess of Salisbury. — (Received June 9.)

(Extract.)

Cettinje, June 2, 1890.

In a previous despatch I alluded to the presence here of a certain number of Turkish subjects who had probably been attracted by the hope of obtaining relief from the Russian charitable fund. Since that time more of these inhabitants of the Vasojevich have, for one reason or another, come up here, and it is reported that a good

many of them when leaving for their homes were recently supplied with arms by the Montenegrin Government.

It is well known that the country about Gussinjé, Plava, Ipek, and Berana is always in a state of chronic disturbance, but I believe that of late the state of affairs has been peculiarly bad. According to one report, the Christian village of Gorazda, near Berana, was attacked a short time ago and completely destroyed by the Mussulmans of Rugovi, who inhabit the country between Ipek and Berana, near the Mokra Planina, and have the reputation of being the most lawless people in a totally lawless country. I believe I am right in saying that their district has never been traversed by a foreigner. Fortunately, the clan is not very numerous.

It is not easy to discover what really takes place in these districts, and the accounts that reach us here are invariably confused and unsatisfactory; but though accurate details may be wanting, enough is known to prove pretty clearly that the country is in a disturbed state.

The Marquess of Salisbury.

WALTER BARING.

The Marquess of Salisbury to Mr. O'Connor.

SIR,

Foreign Office, June 10, 1890.

I HAVE received your despatch of the 31st ultimo, containing a report of your conversation with the Bulgarian Minister for Foreign Affairs with regard to the attitude of the Servian Government towards Bulgaria, and I approve the advice which you have given to the Bulgarian Government, that they should exercise prudence and self-control in dealing with petty aggressions and disturbances on the frontier between the two countries.

I am, &c.,

N. B. O'Connor, Esq.

SALISBURY.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 13.)

MY LORD,

Sophia, June 9, 1890.

I HAVE the honour to report to your Lordship that Major Panitza and the other officers and civilians referred to in my despatch of the 30th ultimo as condemned to various penalties for complicity in a plot to overthrow the Prince have decided to appeal to the Military Court of Cassation, which can either confirm the sentences, or send the case for re-trial to another Military Tribunal constituted for the purpose in the same way as the previous Court.

The trial has naturally engaged almost exclusively public atten-

tion here for the last few weeks, but, as far as I can gather, the general impression it has made throughout the country has been favourable to the Government, inasmuch as it has shown an active vigilance in the detection of conspiracies against the existing régime, and at the same time afforded the Government an opportunity to get rid of some superior officers of whose fidelity they were doubtful. It has also, no doubt, inspired others with a wholesome fear of M. Stamboloff, and afforded them a remarkable proof that no personal feelings, however deep, will influence him in mitigating punishment due to attacks against the safety of the Prince.

I have, &c.

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 14.)

(Telegraphic.)

Sophia, June 14, 1890.

IN consequence of private dissensions, the Ministers for Foreign Affairs and Finance have handed in their resignations, as also the Minister of Justice, who is, however, expected to remain in the Cabinet.

The business of the Departments thus vacated will be temporarily conducted by the members of the Cabinet who still remain.

The Marquess of Salisbury to Sir W. White.

SIR,

Foreign Office, June 16, 1890.

YOUR Excellency has received a copy of Mr. O'Conor's despatch of the 17th ultimo upon the subject of the expulsion from Uskup of the Bulgarian Bishop Theodosius.

If a favourable opportunity occurs, your Excellency should recommend the Porte to give favourable consideration to the wishes of the Bulgarian Government for the regular Episcopal visitation of the Bulgarian communities in Macedonia, provided that your Austro-Hungarian as well as your Italian colleague makes a similar communication.

I am, &c.,

Sir W. White.

SALISBURY.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 17.)

(Telegraphic.)

Sophia, June 17, 1890.

WITH reference to my telegram of the 14th instant, I have the honour to report that the resignations of the Ministers of Finance and Foreign Affairs have been accepted by the Prince.

The Ministry for Foreign Affairs will be temporarily carried on by M. Stamboloff, and the Ministry of Finance by M. Jifkoff.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 17.)

(Telegraphic.)

Sophia, June 17, 1890.

I AM informed by M. Stamboloff of his intention to present to the Porte an official complaint against the course of hostility followed by the Ottoman Government in respect to Bulgaria. The note will ask that Prince Ferdinand and the present Government be recognized officially, and that the Bulgarians in Macedonia be treated in the same manner as all the other inhabitants of that country. The rejection of these demands will compel the Bulgarian Government to adopt such means as it deems necessary for the protection of its interests. These means are understood to be the following: that the Eastern Roumelian tribute be stopped, the Orthodox Greek Bishops in Bulgaria expelled, and the independence of Bulgaria eventually proclaimed.

I took pains to point out to M. Stamboloff how impolitic it was that menaces of this nature should be addressed to the Suzerain Power, and how likely it was that the favourable feelings existing in Europe towards Bulgaria would be weakened by such a course. I also strongly impressed on him the necessity of postponing, for a few days at least, sending the note.

Should the views which I have expressed meet with your Lordship's approval, and should I be instructed by your Lordship as to my further attitude in this matter, it will be possible for me to confer again with M. Stamboloff before his departure, on Thursday, from Sophia.

The Marquess of Salisbury to Mr. O'Connor.

(Telegraphic.)

Foreign Office, June 17, 1890.

I ENTIRELY approve the language which you have used in speaking to M. Stamboloff, as reported in your telegram of to-day.

The Marquess of Salisbury to Mr. Fane.

SIR,

Foreign Office, June 17, 1890.

A QUESTION has been twice asked in the House of Commons regarding the alleged massacre of about eighty Christian refugees by Arnauts in the district of Cossova, and as to the conduct of the Turkish authorities in connection with it.

I inclose a telegram which appeared in the "Manchester Guardian" of the 12th instant, and I have to request you to make inquiries as to whether there is any foundation for the statements which it contains.

I am, &c.,

E. Hume, Esq.

SALISBURY.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, June 18.)

SIR,

Salonica, June 12, 1890.

It is rumoured here that serious disturbances have recently occurred on the Turco-Servian frontier and in North Albania, but I regret that, owing to the absence of my correspondents from Uscup and Pristina, I am unable to get at the facts. Both the Vali, Galib Pasha, and the Mushir, Hussein Fevzi Pasha, told me that, according to the meagre information in their possession, nothing more serious has occurred than some cattle-raids across the frontier by Albanians and Servians. On the other hand, I have gathered from persons who have recently come here from Uscup and Pristina that Ipek is again disturbed by one of the periodical fits of sedition to which that district is subject.

An attempt of the Vali of Cossova to instal a new Kaimakam over the Nahié of Drenitza was met by armed resistance on the part of the mountaineers.

The Kaimakam, with some zaptiehs, has taken refuge in the Slav monastery of Djévitch, and the Ferik Eadhem Pasha, the Commander of the troops in Cossova, has marched to the spot with six battalions of infantry.

The districts of Dibra and Mat, included in the Vilayet of Monastir, are again in a state of anarchy. Bands of armed Albanians are roving about cattle-lifting and committing other depredations in the neighbouring districts.

Much unrest also prevails in the Sandjak of Pristrend, caused by the tyrannical treatment which the loyal part of the population suffers from some Albanian Chiefs, from Rusto (Rustem) Cabash in particular. This man is a daring adventurer, a sort of "Roi des Montagnes," who, at the head of his clan, composed of desperate and hardy mountaineers, levies blackmail from the Turkish and Christian villages in the plains, and subjects them to every kind of extortion and outrage.

He has established himself at the village of Cabash, about two hours distant from the town of Pristrend, the seat of the Mutessarif of the province, from where he actually defies the Ottoman authorities, and directs his criminal exploits in the neighbouring Nahiés of Podrimyé, Opolyé, Gora, and Pristrend.

About ten days ago a deputation of some thirty Christian and Mahomedan villagers from the above-named nahiés proceeded to Priserend and begged the Mutessarif to permit them to expose by telegraph their condition to the Sultan, in the hope of securing efficient protection against the above-named Chief.

The Mutessarif dissuaded them from so doing, and, upon his suggestion, six of their number, three Christians and three Mahomedans, went to Uscup to lay their complaint before the Vali of Cossova.

The above information on the situation in North Albania cannot be regarded as altogether trustworthy, as it is chiefly derived from native sources, but I may add that most of it is in harmony with the accounts received by some of my colleagues who are generally well informed on passing events in that province.

With regard to the condition of the southern districts of Macedonia, I am glad to say that, with the exception of some murders committed by Albanian shepherds while returning in spring with their flocks to their mountain pastures, no serious acts of brigandage have occurred this year. Most of the localities in the Sandjak of Salonica which were formerly infested by brigands now enjoy comparative immunity from this scourge. A newly-formed band of eight robbers made its appearance last month in the district of Caterina, but before it had time to commit any outrage it was energetically pursued and destroyed by the volunteer rural police.

The latest accounts which I have received from the interior state that tranquillity prevails on the Bulgarian as well as on the Greek frontier.

I inclose a copy of a recent report from Mr. Vice-Consul Capety on the state of the Sandjak of Serres. No reports have reached me this month from the other British Vice-Consuls in my district, and their recent private letters do not mention any serious occurrence.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure.)—Vice-Consul Capety to Consul-General Blunt.

M. LE CONSUL-GÉNÉRAL,

Serres, le 7 Juin, 1890.

ON m'informe que Dina Savjakli, chef brigand d'ancienne date, qui se trouvait en Bulgarie, est entré avec trois brigands dans ce sandjak du côté de Perin.

Stoitcho, un autre brigand, a été vu dans le district de Zichna.

Ni l'un ni l'autre n'ont pas encore commis quelque acte de brigandage.

Par contre, un certain Mersin, Albanais, avec quatre brigands Albanais aussi, a capturé un pâtre dans les environs de Melnik.

Un détachement de gendarmerie à cheval a été immédiatement envoyé à la poursuite.

J'ai, &c.,

J. E. Blunt, Esq.

C. CAPETY.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 18.)

(Extract.)

Sophia, June 13, 1890.

THE day before yesterday M. Stamboloff referred to the discredit brought upon his Government by the expulsion of the Bishop Theodosius from Uscup, creating a general impression that he could not obtain even the most reasonable concession for his co-religionists in Macedonia. Sooner or later he would be forced to retaliatory measures; and he proposed shortly addressing an official note to the Porte, of which copies would be sent to the Powers, protesting against the policy of the Ottoman Government in regard to ecclesiastical matters, as well as the question of the recognition of Prince Ferdinand, and foreshadowing that the probable consequences in the near future would be the stoppage of the Eastern Roumelian tribute and the declaration of Bulgarian independence. The tribute was a considerable item in their small Budget, but, personally, he was averse to the repudiation of any pecuniary engagements, and he would unwillingly have recourse to such an expedient. It was, however, quite as much a political as a financial question, and its resumption, though necessitated by political exigency, had been very unpopular in the country, and only voted by the Sobranjé on his personal assurances that it would secure the good-will of the Ottoman Government in important political questions.

I regard the cessation of the tribute as a contingency likely to occur in the near future, but capable of being delayed or hurried on by the action of the Porte towards this country; but I observed to M. Stamboloff that I thought it very unwise to publicly address threats to the Suzerain Power, which would make any concession more difficult by placing the *amour-propre* of the Ottoman Government at stake, and that menaces of a declaration of independence tended to alienate most decidedly the sympathy of Her Majesty's Government, who believed that there was sufficient vitality in the Bulgarian race to enable them to sustain their national existence under the present favourable conditions secured to them by the friendly attitude of certain Powers.

The Marquess of Salisbury.

N. R. O'CONNOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 19.)

(Telegraphic.)

Sophia, June 19, 1890.

WITH reference to my telegram of the 17th instant, I have the honour to report that the note therein referred to has been forwarded by the Bulgarian Government to the Sublime Porte; but I am informed that its terms are not so menacing as at first.

Mr. Fane to the Marquess of Salisbury.—(Received June 20.)

(Telegraphic.)

Constantinople, June 20, 1890.

I HAVE the honour to report to your Lordship that Dr. Voulcovitch, the Bulgarian Agent here, presented yesterday to the Grand Vizier and to the Minister for Foreign Affairs a note, expressed in very determined language, from the Bulgarian Government, in which, after an enumeration of their various causes of complaint against the Sublime Porte, they conclude by declaring that, unless the claims of Bulgaria concerning the recognition of Prince Ferdinand and the rights in Turkey of the Bulgarian Church are satisfied by the Sublime Porte, the Bulgarian Government will be forced to the conclusion that the Suzerain Court has withdrawn its protection from the vassal Principality, and that they must henceforward depend upon their own strength to find a means of escaping from the uncertain and perilous position in which they are at present placed.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received June 21.)

MY LORD,

Belgrade, June 15, 1890.

I QUESTIONED yesterday the Minister for Foreign Affairs on the subject of the reported wholesale massacre of Christians by Mussulmans in Macedonia.

His Excellency said this was greatly exaggerated; that, according to information which he had received from the Servian Consul at Pristina, there were doubtless instances of oppression exercised by Turkish troops, who, in order to house themselves, are apt to eject the Christian occupants, whereby these are induced to cross the border into Servia, but are, when detected, driven back with harshness by the Turkish frontier guards.

It is difficult, however, added General Gruitch, for Servia to complain to the Porte of the behaviour of troops sent, at the solicitation of Servia herself, to control the unruly Arnauts who voluntarily quitted the districts annexed to Servia by the Treaty of

Berlin, but who, nevertheless, continue, though they pay no taxes, to look upon such districts as still their own. Hence the raids across the border whenever attempt is made by Servians to settle near the frontier.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. Baring to the Marquess of Salisbury.—(Received June 23.)

(Extract.)

Cettinje, June 13, 1890.

THE Minister for Foreign Affairs spoke to me to-day about the state of things on the Turkish frontier, which he said was becoming intolerable, and requested me to lay the case before your Lordship, and to beg that instructions might be sent to Her Majesty's Ambassador at Constantinople to make representations on the subject to the Porte.

He said that great numbers of Christians were coming over into Montenegro from Lower Kolashin, Berana, and Ipek, in order to escape the exactions and ill-treatment to which they were constantly subjected by the Mussulman Albanians. These refugees were naturally a source of embarrassment to the Montenegro Government, which could ill afford to provide for them. He asked M. Bakich, who was present, to read me a Memorandum on the subject of these complaints which had been sent unofficially to the Turkish Minister, and which was a sort of abstract of the depositions of a number of these refugees. It contained a series of charges against Mussulmans of murder, robbery, violence, excessive taxation, &c.

In my despatch of the 4th instant I mentioned that a number of Montenegrin women had been attacked and robbed by the people of Rugova when on their way from Gusinje to Ipek, but that the Turkish Minister had told me that the stolen property had been restored. M. Vukovich gave a different version of the story; he said the outrage took place quite close to Ipek, almost under the eyes of the authorities, that the women had been brutally maltreated, that only a portion of the stolen property had been restored, and that no one had been punished for the offence. M. Vukovich also denied that any Turkish troops had been sent to Ipek, or that anything was being done by the authorities to preserve order among the Albanians.

I have already had the honour to point out to your Lordship how difficult it is to get reliable information respecting what goes on in these districts; but if we only accept as true one-half of the Montenegrin account of what is taking place, there remains enough to cause uneasiness. The condition of the Vilayet of Kossovo has

unfortunately always been bad, and though the Montenegrin version that complete anarchy reigns there should be accepted with caution, I am inclined to think that the state of affairs is somewhat worse than usual. Little information is to be procured from Scutari respecting what goes on in the neighbouring vilayet, as for many reasons the communications between the two provinces are now very limited. It is possible that at Salonica more information might be obtained by way of Mitrovitza and Uscup.

Besides complaining of what was taking place beyond the frontier, M. Vukovich spoke of the impunity with which Albanians committed crimes on Montenegrin territory, and then returned to their own country, where no one attempted to arrest them. When, on the other hand, a Montenegrin killed an Albanian, he was invariably at once punished. There is no doubt a good deal of justice in these complaints, as it is perfectly undeniable that the Ottoman authorities are powerless to arrest a criminal in Albania, particularly one who is accused merely of killing a neighbour in pursuance of a blood-feud. The mountaineers allow of no Government interference in such matters, and a fugitive from justice is as safe among them as is a Persian criminal inside the Mosque of Iman Reza at Meshed.

The difficulties with which the two countries, Turkey and Montenegro, have to contend in regard to these matters are not to be compared; but the Montenegrins say that this is no business of theirs, and that it is not fair that they should suffer because the Sultan fails to make his writ run in Albania. M. Vukovich said that the arrangement with regard to the extinction of blood-feuds was really a mistake, as it was completely one-sided, and that it would be better to return to the old state of things, and to allow the frontier Montenegrins to take the law into their own hands. I told M. Vukovich that I totally disagreed with him, and that I regretted to hear him advocate a return to barbarism; but I know as a fact that he is merely re-echoing the sentiments expressed by some leading Montenegrins, especially by the older men, who are inclined to sigh for the good old times when the heads of decapitated Mussulmans graced the tower which overlooks Cetinje. I believe, however, that the Prince has hitherto steadily resisted these arguments, and has declared that, having once made an arrangement, he will carry it out.

I told M. Vukovich that I would report all he had said to your Lordship.

I need not point out to your Lordship how very desirable it is that the Porte should take measures to put an end to the unsatisfactory state of affairs in these frontier provinces, as, though the offences committed and the disputes which occur may

appear insignificant, one can never tell to what they may eventually lead.

When the Montenegrins qualify the situation as unbearable, impossible, and hopeless, I take the epithets for what they are worth. I do not say that their complaints are all groundless, but I do say that they are only too delighted to make their voices heard. They wish for nothing better than to have an excuse for interfering with their neighbours' affairs, and it is just this that constitutes the danger of the situation. As things are at present, Montenegro can always get up a cry, and one would think that the Porte would be anxious to stop this.

With the example of the Herzegovina outbreak still fresh in its memory, the Turkish Government should endeavour to remove all cause of legitimate complaint, and it is to be hoped it will not allow its habitual tenderness for Albanians to stand in the way of the evident interests of the Empire.

The Marquess of Salisbury.

WALTER BARING.

Mr. Baring to the Marquess of Salisbury.—(Received June 23.)

MY LORD,

Cettinje, June 14, 1890.

I CALLED at the Foreign Office to-day, and, as M. Vukovich was absent, I asked M. Bakich to give me some further information with respect to the murders said to have been committed by Albanians on Montenegrin territory. He replied that, not long after the execution of the two Montenegrins at Rieka for the murders on the Lake of Scutari, a Montenegrin had been killed by an Albanian of the Hotti clan, but that the murderer had never been arrested, though the Montenegrin Government knew that he was living quietly among his own tribe. A short time ago, again, a shepherd had been shot dead, near Podgoritza, in broad daylight.

M. Bakich went on to explain that the arrangement for the extinction of blood-feuds was held by the Turkish Government only to apply to the Vilayet of Scutari, and not to that of Kossovo, as the Albanians in the latter district were violently opposed to it. The Montenegrin Government, and, he believed, also Djevad Pasha, had always been of opinion that the whole of the Turco-Montenegrin frontier was included in the arrangement, and the Prince had caused all Montenegrins guilty of offences against their neighbours to be arrested. The authorities of the Vilayet of Kossovo had, however, done nothing; and though several Montenegrins had been killed in the Vassojevich district, not a single murderer had been arrested.

M. Bakich said they would arrest and imprison Montenegrins,

but that they would not execute them unless the Turkish authorities showed some disposition to deal more energetically with their own subjects.

When I was leaving, M. Bakich informed me that the Turkish Minister had just communicated the reply of the Porte to the Montenegrin representations. The Turkish Government undertook to construct a line of block-houses along the frontier, so as to keep the Albanians in check. M. Bakich expressed no opinion with regard to this measure, but I cannot help thinking that it will not be altogether pleasing to the Montenegrins.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. Baring to the Marquess of Salisbury.—(Received June 23.)

(Extract.)

Cettinje, June 15, 1890.

With reference to my immediately preceding despatches of the 13th and 14th instant, in which I reported on the complaints of the Montenegrin Government respecting frontier outrages, I have the honour to state that I to-day had some conversation on the subject with the Turkish Minister.

In my despatch of yesterday's date I mentioned to your Lordship that M. Bakich had told me that the Porte had engaged to construct block-houses on the frontier. Tewfik Bey gave me some explanations with regard to the scheme. Fifteen block-houses were to be constructed along the frontier from the Tara to Tusi; each block-house would be garrisoned by twenty men, making a total of 600 frontier guards.

In order to avoid the inconvenience of a divided command, this force would be placed under the command of Mehmet Bey, the present Kaïmakam of Berana, an officer whose energy is acknowledged even by the Montenegrins. The frontier guards would be picked men, and Tewfik Bey said that as at least half must, of necessity, speak Albanian, he was endeavouring to get these men chosen from the Southern Albanian contingents, so that they should have no connection with the populations among whom they had to serve. He thought that the remaining guards should be Circassians.

In my opinion Tewfik Bey's scheme is a good one, and cleverly devised. I need hardly say that it cuts both ways, but it should not be depreciated on that account. If something like order is to be established in a wild and mountainous country like the Turco-Montenegrin frontier, block-houses must be erected. The only other alternative that I know of is a military expedition on a large scale every few years.

Again, if the Montenegrin complaints are sincere, and if they really wish to see peace established on the frontier, they should be pleased with a scheme which would give them what they wished for. If, on the other hand, they express dissatisfaction, they will show that they were not in earnest, and that they had some ulterior motive in complaining of the conduct of their neighbours.

Tewfik Bey told me that the Prince, on receiving the communication of the Porte's decision, had expressed the greatest satisfaction, and had thanked him most warmly, and that no Montenegrin official had raised any objection to it.

The only objection to this scheme that I can see is that the number of block-houses is too small. Instead of 15, I would gladly see 30, with 1,200 guards instead of 600. The patrols would then more easily keep touch. Of course the block-houses must be properly kept up, and not allowed to fall into ruin like most other things in the Turkish Empire.

I told Tewfik Bey that I was very glad to hear that the Porte had decided upon doing something on the frontier, as the state of affairs there appeared to me unsatisfactory. I have on previous occasions pressed on him the desirability of active measures being taken, and have pointed out to him the risk his country incurred in giving Montenegro ground for complaint. He has always seemed to me to be fully alive to this danger.

Tewfik Bey went on to speak to me about the Montenegrin complaints. He positively declared that they were grossly exaggerated. The immigration into Montenegro had been insignificant, and when he came to question the Montenegrin Government about the depositions of the refugees, alluded to in my despatch of the 13th instant, he found that the outrages complained of extended over a number of years. Some of the refugees had even been settled in Montenegro for a considerable time. He positively assured me that there were troops at Ipek, Berana, Djakova, Rugova, and elsewhere in the vilayet, and he counted up either nine or ten battalions, I forget now which.

I fear I have written at inordinate length on the subjects I have dealt with in this and in foregoing despatches, but I would ask to be allowed to sum up the situation in a few words:—

An unsatisfactory state of affairs does exist on the Montenegrin frontier owing to the lawless character of the inhabitants and the weakness of the authorities;

The Montenegrins are, for one reason or another, making the most of the situation;

A scheme has just been put forward by the Porte which, if properly executed, should lead to good results. At any rate it should be tried before it is condemned.

The Montenegrin Minister for Foreign Affairs has requested that Her Majesty's Ambassador at Constantinople should make representations to the Porte on the subject of the general situation.

It appears to me that as the Porte has already taken measures more or less in the sense desired by the Prince of Montenegro, for the present, at least, strong representations are not necessary; but I would beg to be allowed most respectfully to suggest that Her Majesty's Ambassador should say a word of friendly advice to the Porte, and should point out the advisability of keeping unremitting watch on the doings of the inhabitants near the Montenegrin frontier.

The Marquess of Salisbury.

WALTER BARING.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received June 23.)

MY LORD,

Belgrade, June 17, 1890.

REFERRING to my despatch of the 15th instant, and to Mr. Consul-General Blunt's despatch of the same date, which reached me under flying seal, on the subject of disturbances in Upper Albania, close to the Servian frontier, I have the honour to report that, according to a conversation which I had to-day with the Secretary-General of the Department for Foreign Affairs, it is not on the Turkish troops, who are ostensibly employed in controlling the turbulent Albanians, that can be laid the charge of oppressing the Christians whom they are sent to protect, but on the above-mentioned marauding Mahomedan element in those districts.

"What we have to reproach the Turkish troops for, according to the account of Christian refugees into Servia," observed to me M. Milovanovitch, "is not that they are themselves guilty of the outrages complained of, but that they passively look on while their co-religionists commit them;" and he corroborated the statement made to me by the Minister, that when these unfortunate Christians succeed in approaching the frontier with whatever property has been saved from pillage, they are, when detected, harshly turned back by Turkish frontier-guards, and exposed for a second time to insult and pillage at the hands of their oppressors.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 23.)

MY LORD,

Sophia, June 19, 1890.

I HAVE the honour to inclose herewith to your Lordship copy of the note which the Bulgarian Government have addressed to their

Agent at Constantinople, for presentation to the Porte to-day, on the subject of the relations between the Principality and the Suzerain Power.

The note begins by complaining that the Suzerain Power has withdrawn its support from the Principality in the trying and difficult circumstances through which Bulgaria has passed of late years. It gives a historial sketch of the circumstances attending the refusal of the Ottoman Government to recognize the election of Prince Ferdinand or even to recognize the Bulgarian Government in the same degree as other Powers, while at the same time exacting the payment of the annual tribute, and requiring Bulgaria to fulfil all her obligations towards the Suzerain Power, and it states that the consequences of this policy provoked political agitators, paid by the enemies of Bulgaria to revolt, and endangered the existence of the country.

It compares the favourable treatment accorded to Mussulmans in Bulgaria with the policy followed with regard to members of the Bulgarian Church in Macedonia, and lays stress upon the fact that, while there are three Greek Metropolitans in Bulgaria, which contains only 60,000 Greeks, there is not a single Bulgarian Metropolitan in Macedonia, where there are 2,000,000 of Bulgarians, and it invites the redress of this grievance in order to prevent the complications which would be as prejudicial to the Empire as to the Principality.

It further alludes to the military force and fortifications on the Turkish frontier as hostile measures which can only be injurious to the good relations that ought, in the common interest of both countries, to exist between the Suzerain Power and the vassal State.

After stating that the foregoing observations are respectfully offered with a view to prevent the disastrous consequences that would result from a continuance of the present state of things, the note concludes as follows :—

“The Principality urgently presses (‘insiste’) upon the Suzerain Power to abandon the reserve hitherto maintained towards them, to enter into direct relations with their Government, and to afford them that moral support to which they have a right, and which is necessary to their existence.

“The Government of the Principality begs the Sublime Porte to modify its attitude towards the Bulgarians in the other provinces of the Empire, and to accord them the same rights and privileges which are guaranteed by the Imperial laws and International Treaties, by which all the other nationalities largely profit.

“If, after this appeal, which is addressed to its feelings of justice and humanity, the Sublime Porte should refuse to listen to

the voice of the Principality, and to satisfy their legitimate demands in regard to the recognition of the Prince and his Government, and to recognize the rights of the Bulgarian Church, it will be a proof that the Suzerain Power has from this time forward withdrawn all protection of the vassal Principality by abandoning them to their own lot, and the Government of the Principality will find themselves, to their great regret, obliged to seek in their own strength ('dans ses propres forces') the means of freeing themselves from a state of things full of uncertainties and dangers."

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

(Inclosure.)—*Dr. Stransky to Dr. Voulcovitch.*

M. L'AGENT,

Sophia, le 4^e Juin, 1890.

DEPUIS cinq ans la Principauté de Bulgarie s'est constamment efforcée de remplir ses obligations internationales et ses devoirs envers la Cour Suzeraine dans les limites qui lui sont tracées par les Traités; et, durant cette période, elle a donné des preuves de sa ferme et vigoureuse résolution de défendre son indépendance et de sauvegarder l'ordre et la tranquillité du pays. Dans la lutte qu'elle a soutenue pour son existence et pour la paix, elle se croyait donc en droit de compter sur l'appui, moral et matériel, de la Sublime Porte, d'autant plus que la position de la Bulgarie n'est pas sans importance pour la propre sécurité de l'Empire Ottoman. Et pourtant après tous les sacrifices qu'elle s'est imposés pour concilier ses intérêts avec les intérêts généraux de l'Empire, après les soins jaloux qu'elle a mis à mériter la confiance et l'appui bienveillant de la Cour Suzeraine, elle se voit, à son grand regret, obligée de constater que la Sublime Porte, loin de répondre à son attente et à ses espérances, s'est soustraite aux devoirs de la suzeraineté, et qu'en s'effaçant dans les questions où son concours était nécessaire à l'État vassal, le Gouvernement Impérial a rendu plus difficile encore la tâche du Gouvernement Princier.

Un rapide exposé de faits mettra en évidence l'action de la Sublime Porte et du Gouvernement Princier dans l'exercice de leurs droits respectifs, et dans l'accomplissement de leurs devoirs réciproques, en face de la crise politique que le pays traverse.

Fort du droit que lui confère l'Article III du Traité de Berlin, la Principauté a élu un Prince, et, en l'élisant librement, elle a donné la preuve qu'elle voulait fermer la voie à des combinaisons politiques qui auraient compromis son indépendance et lésé les intérêts du peuple Bulgare. Comptant dès lors sur l'appui de la Cour Suzeraine, elle avait la conviction que la Sublime Porte recon-

naîtrait le Gouvernement issu de la volonté nationale, et ne manquerait pas d'intervenir auprès des Grandes Puissances pour obtenir leur adhésion à l'acte de reconnaissance. Mais au lieu de faire des démarches en ce sens, la Sublime Porte a agi dans un sens contraire aux vœux du pays, en adressant au Gouvernement Bulgare le 5 Mars, 1888, une déclaration qui était de nature à ébranler la situation que la Principauté avait acquise au prix de tant d'efforts et de sacrifices.

En ce qui concerne les rapports nécessaires qui s'imposent aux États dans les affaires qui les intéressent, on a vu se produire ce fait caractéristique, que le Gouvernement Princier, reconnu par la Sublime Porte lorsqu'il payait les redevances dues au Trésor Impérial ou qu'il exécutait ses autres obligations envers la Cour Suzeraine, était ignoré par elle toutes les fois qu'il revendiquait ses droits. Et en définitive, le Gouvernement Impérial Ottoman n'est pas entré jusqu'à ce jour en relations directes avec le Gouvernement Bulgare, tandis que d'autres Puissances qui n'ont pas avec la Principauté les liens politiques qui unissent celle-ci à l'Empire, entretiennent avec elle des rapports plus directs et plus intimes.

Cette attitude de la Cour Suzeraine à l'égard de la Principauté a eu pour résultat de jeter le trouble dans les esprits et l'inquiétude dans les affaires en Bulgarie. Devant les incertitudes de l'avenir, le commerce et l'industrie ont souffert, le développement matériel du pays a subi un temps d'arrêt funeste, les mécontentements ont augmenté. Profitant de ces circonstances, les agitateurs politiques, à la solde des ennemis de la Bulgarie, ont exploité la situation difficile qui est faite au Gouvernement Princier au point de vue international, et, ne pouvant provoquer un soulèvement parmi la population, qui a confiance dans le Gouvernement national qu'elle s'est donné, ils sont parvenus au moyen de promesses fallacieuses à surprendre les esprits faibles pour les entraîner à organiser des complots et à tenter des aventures qui, si elles avaient réussi, auraient causé la ruine de la Bulgarie.

Au lieu d'avoir à constater un pareil état de choses, on aurait vu le pays, confiant en l'avenir, marcher dans la voie du progrès par la paix si la Sublime Porte avait reconnu le Prince de Bulgarie et entretenu avec le Gouvernement Princier des relations directes et intimes.

D'ailleurs, en s'abstenant jusqu'à ce jour de remplir cet acte requis de la Puissance Suzeraine, la Sublime Porte a mis le Gouvernement Bulgare aux prises avec un autre ordre de difficultés non moins graves que celles qui viennent d'être signalées. Il s'agit des Bulgares qui habitent les provinces placées sous la domination de Sa Majesté Impériale le Sultan, et dont la triste situation a son contre-coup dans la Principauté, à tel point que, en dehors des critiques véhémentes des partis de l'Opposition, ainsi que des agitations

étrangères, il s'établit un courant très fort parmi le peuple, qui commence à se demander si la politique du Gouvernement est nationale ou contraire aux intérêts de la nation Bulgare.

Cependant, s'il est des questions où les intérêts de la Cour Suzeraine sont intimement liés à ceux de la Principauté vassale, c'est, sans contredit, la question des Musulmans en Bulgarie et celle des Bulgares en Turquie.

La situation des Musulmans de Bulgarie a été de tout temps l'objet des préoccupations du Gouvernement Princier. Les communautés Musulmanes y sont traitées plus favorablement que les autres nationalités, par ce seul fait que vingt-trois Muftis sont payés par le Budget de l'État. Les communes où la majorité de la population est Turque font, à l'instar de toutes les autres communes, partie du corps politique et administratif du pays; elles ont leurs Députés à l'Assemblée Nationale, et exercent, dans leur plénitude, leurs droits dans l'Administration Municipale. Entre tous citoyens de la Principauté les Musulmans ont seul la faculté de s'exonérer du service militaire; malgré cela, il y a des Musulmans qui sont officiers dans l'armée Bulgare.

Ainsi, le Gouvernement Princier a toujours tenu à honneur de se conformer aux stipulations de l'Article V du Traité de Berlin: non seulement il garantit aux Musulmans la liberté du culte et de l'enseignement, mais encore il leur accorde des subsides pour l'entretien de leurs mosquées et de leurs écoles, il les admet aux fonctions publiques et leur assure l'exercice de leurs droits politiques et communaux. Au surplus, toutes les fois que la Sublime Porte a signalé à son attention certaines questions spéciales qui intéressaient la population Musulmane, le Gouvernement Bulgare s'est empressé d'en faire l'objet de propositions législatives lorsqu'elles ne pouvaient pas être résolues par voie administrative. Aussi bien est-il notoire que, par l'effet de cette sollicitude constante dont ils ont été entourés, les Musulmans ont moins émigré de la Bulgarie que des autres provinces Impériales qui ont subi des changements politiques à la suite de la dernière guerre, et qu'un grand nombre de ceux qui avaient émigré lors de la guerre reviennent en Bulgarie réintégrer leurs foyers qu'ils avaient abandonnés.

En présence de la situation privilégiée qui a toujours été faite aux Musulmans en Bulgarie, le Gouvernement Princier était en droit d'espérer que la population Bulgare des provinces placées sous la domination de Sa Majesté Impériale le Sultan serait traitée, sinon plus favorablement, du moins sur le même pied d'égalité que les autres nationalités qui se trouvent dans ces provinces, et que la tolérance religieuse, qui a été si noblement pratiquée par les Empereurs Ottomans, serait également étendue à la nationalité Bulgare.

Deux millions de Bulgares vivent sous l'égide de Sa Majesté Impériale le Sultan et se plaignent de ce que, depuis un grand nombre d'années, malgré les Firmans Impériaux, la Sublime Porte a toujours refusé de leur donner leurs chefs spirituels.

Sa Bénédicture l'Exarque, qui d'après le Firman Impérial de 1870 et de l'Article 39 de la Constitution est le Chef de l'Eglise Bulgare, n'a plus la situation qu'il avait autrefois auprès de la Sublime Porte; il se voit réduit à l'impuissance dans l'œuvre qui lui incombe de diriger l'Eglise et de répandre l'enseignement dans les provinces de l'Empire habitées par les Bulgares.

Le prétexte mis en avant que le Patriarcat de Constantinople s'oppose à la mission de l'Exarchat est insoutenable.

La Sublime Porte n'ignore pas que, lors de la promulgation du Firman Impérial, le Patriarcat avait frappé d'excommunication les Bulgares qui ont reconnu l'Exarchat; il s'ensuit que le Patriarcat n'a plus le droit de s'occuper de ceux des Bulgares qui refusent de ressortir à sa juridiction et qui veulent remettre entre les mains de l'Exarchat l'administration de leurs églises et de leurs écoles.

Du reste, la Sublime Porte sait que le Patriarcat Grec a trois Métropolitains en Bulgarie pour l'administration ecclésiastique de 60,000 habitants qui reconnaissent son autorité spirituelle, et que le Gouvernement Bulgare est le seul dans la Péninsule Balcanique qui ait maintenu intacts les droits des diverses communautés religieuses, les États voisins n'ayant permis à aucun des Evêques relevant de l'Exarchat d'avoir des relations avec eux pour les besoins spirituels des populations qui, avant les décisions du Congrès de Berlin, ressortissaient à la juridiction de l'Exarchat Bulgare. Malgré ces témoignages de bienveillance et de tolérance du Gouvernement Princier, le Patriarcat Grec fait tous ses efforts et emploie les manœuvres de toutes sortes pour empêcher que 2,000,000 de Bulgares, sujets fidèles de Sa Majesté Impériale le Sultan, aient des chefs religieux qui administrent leurs églises et leurs écoles.

L'absence du haut clergé au sein de la population Bulgare, la méconnaissance des droits les plus essentiels des communautés Bulgares, les difficultés faites par les Commissions d'Instruction Publique à l'entrée en fonctions des instituteurs et institutrices Bulgares, l'état d'infériorité où sont relégués les Bulgares, qui ne sont admis ni comme boursiers dans les écoles du Gouvernement, ni comme fonctionnaires de l'Empire, et à qui même il est interdit d'avoir un journal dans leur langue, tandis que sous tous ces rapports les autres nationalités ont tous privilèges et faveurs, cet ensemble de faits a son retentissement dans la Principauté, et y crée une agitation qui rend plus difficile le maintien de l'ordre et de la tranquillité.

Dans ces conditions la Sublime Porte, qui n'ignore pas qu'en Bulgarie, où le pouvoir procède du peuple, le peuple a une action souveraine sur le Gouvernement, se convaincra que le Gouvernement Princier faillirait à ses devoirs s'il ne tenait pas compte de la volonté nationale et des intérêts du pays ; et s'il se permet aujourd'hui d'élever la voix en faveur des Bulgares de la Turquie, c'est dans le but de prévenir toutes complications qui seraient également préjudiciables à l'Empire et à la Principauté.

Dans le même ordre de faits qui démontrent de quelles dispositions est encore aujourd'hui animée la Sublime Porte à l'égard de la Principauté, il est nécessaire de signaler le déploiement des forces militaires et le développement des fortifications échelonnées le long des frontières Ottomanes, et dirigées contre ce pays comme s'il était un ennemi de l'Empire. Le Gouvernement Princier ne peut s'expliquer de pareilles mesures, qui portent atteinte à l'accord et à l'union qui, dans l'intérêt commun, doivent présider aux relations entre la Cour Suzeraine et la Principauté vassale.

En présentant respectueusement les observations qui précèdent, le Gouvernement Bulgare prie le Gouvernement Impérial Ottoman d'être bien persuadé qu'elles lui sont dictées par le désir sincère de prévenir tous les malentendus, de resserrer les liens qui existent entre la Cour Suzeraine et la Principauté, et d'arriver ainsi à écarter les conséquences désastreuses qui résulteraient de la continuation d'un état de choses aussi dangereux pour l'Empire que pour la Bulgarie.

La Principauté insiste auprès de la Cour Suzeraine pour que celle-ci sorte de la réserve où elle s'est placée à son égard, qu'elle entre en relations directes avec son Gouvernement, et lui apporte l'appui moral auquel elle a droit et qui lui est nécessaire pour son existence.

Le Gouvernement Princier prie la Sublime Porte de modifier son attitude envers les Bulgares des autres provinces de l'Empire et de leur accorder les mêmes droits et immunités qui sont garantis par les lois Impériales et par les Traités internationaux, et dont profitent largement toutes les autres nationalités.

Si après cet appel, qui est adressé à ses sentiments de justice et d'humanité, la Sublime Porte refuse d'entendre la voix de la Principauté et de satisfaire à ses demandes légitimes touchant la reconnaissance du Prince et de son Gouvernement et la reconnaissance des droits de l'Église Bulgare, elle donnerait la preuve que la Cour Suzeraine a désormais retiré toute protection à la Principauté vassale en l'abandonnant à son propre sort, et le Gouvernement Princier se trouverait, à son grand regret, obligé de chercher dans ses propres forces les moyens de sortir d'une situation pleine d'incertitudes et de dangers.

Vous êtes autorisé, M. l'Agent, à donner lecture de la présente à son Excellence M. le Ministre Impérial des Affaires Étrangères, et à lui en laisser copie si son Excellence la demande.

Veuillez, &c.,

Dr. Voulcovitch.

DR. STRANSKY.

Consul-General Blunt to the Marquess of Salisbury.—(Received June 24.)

MY LORD,

Salonica, June 15, 1890.

WITH reference to my despatch of the 12th instant, I have the honour to submit herewith, for the information of your Lordship, a translated extract from a letter which I received this morning from a correspondent at Vucitrin relative to the late disturbances at Drenitza, in Upper Albania.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—Letter addressed to Consul-General Blunt.

(Translation.)

(Extract.)

Vucitrin, June 13, 1890.

EDHEM PASHA, the Mutessarif of Pristina, and another Pasha, whose name I do not know, had gone with the two battalions, composed of 865 men, 37 officers, and 125 horse, to the village of Laoucha,* where they summoned before them the Notables of the villages of the Nahié of Drenitza to inquire into their conduct and inform them that they must submit to the law and accept the establishment of a Kaïmakamlik having its head-quarters at Djevitch, and pay, like all the subjects of the Sultan, all taxes imposed by the Government. Up to the present there have been no hostilities, and it is believed there will be no need of the services of the troops to put down these refractory Albanians, who were perpetrating all sorts of crimes, such as robbery, on the Turco-Servian frontier, and assisting brigands who fled from the authorities of the neighbouring districts and took refuge at Ipek in company with malefactors from Louma, Tanta, and elsewhere. Already twenty Notables, ringleaders of the movement against the Government, have been imprisoned at Pristina, and it is said that others will follow them. It is also believed that, on this occasion, the Government will reduce to submission not only Drenitza, but also Louma, and other disturbed districts in Upper Albania.

* Lausa.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, June 24.)

SIR, *Salonica, June 19, 1890.*

WITH reference to my preceding reports on the state of affairs in Upper Albania, it is rumoured here that the Greek Archbishop of Prisrend has been assassinated by Albanians in that town; but from the inquiries which I have made it appears that it is not the Archbishop, who is absent from Prisrend visiting Berana and other districts in his diocese, but his brother-in-law and major-domo, who has been murdered by some unknown person or persons. The Turkish authorities have apprehended a number of individuals whom they suspect of being implicated in the crime.

My informant also states that the murdered man made himself very unpopular with the Albanians by using the Archbishop's influence in recovering money he had advanced to them at usurious rates of interest.

With regard to the reports published in the Continental press of the massacre of a number of Christians by Arnauts in the Vilayet of Cossova, I am assured by railway officials who arrived here yesterday evening from Jibestche and Mitrovitza that they have not heard of any such massacre, and that they believe there is no foundation for the reports in question. I am, however, making further inquiries into this matter.

I have, &c.,

Sir W. White.

J. E. BLUNT.

The Marquess of Salisbury to Mr. O'Connor.

SIR, *Foreign Office, June 24, 1890.*

I HAVE received and laid before the Queen your despatch of the 13th instant, reporting a conversation with M. Stamboloff, when his Excellency informed you that it was his intention to address a note to the Porte, remonstrating against their attitude upon the question of Prince Ferdinand's recognition, and their treatment of the Bulgarian population of Macedonia in ecclesiastical matters.

Your language upon the occasion, as reported in your above-mentioned despatch, is approved by Her Majesty's Government.

I am, &c.,

N. R. O'Connor, Esq.

SALISBURY.

Mr. O'Connor to the Marquess of Salisbury.—(Received June 27.)

MY LORD, *Sophia, June 19, 1890.*

I HAVE the honour to inform your Lordship that the official journal states that the Minister of War has retired from active

service eleven officers, amongst whom is one Major and two Captains.

The reported reason for this measure is that these officers were more or less implicated in the Panitza conspiracy, but I understand that a good deal of discontent has been caused by the Minister of War not making public the grounds of their dismissal and trying them before a Military Court of Justice.

The journal further states that Dr. Mirkoff, Surgeon-Major of the Bulgarian army, has been dismissed from the service, and that a Commission of Inquiry has been appointed to investigate the conduct of Lieutenant-Colonel Kissoff, late Commandant of the Sophia garrison, in connection with the Panitza plot.

Other officers are also spoken of as suspected of intriguing against the present régime, and as likely to be retired from the active army, and there is no doubt that these reports are creating a dangerous feeling of uneasiness among the officers, many of whom, though discontented by the absence of impartiality in military administration, are, at the same time, at heart loyal to the present régime.

Stringent measures are, however, inevitable if the army is to be made thoroughly reliable, and purged of the infection carried into its ranks by the 200 cadets who took an active part in the dethronement of Prince Alexander, many of whom are now Lieutenants and Captains.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 27.)

MY LORD,

Sophia, June 20, 1890.

WITH reference to my despatch of the 9th instant, I have the honour to report that the appeal to the Court of Military Cassation in the Panitza case came on for hearing on the 19th and 20th instant, and resulted in a simple confirmation of the previous judgment.

The Public Prosecutor in the late trial, Lieutenant Markoff, only appealed against the sentences of Major Panitza and Kalobkoff, maintaining that the former should not have been recommended to mercy, and that Kalobkoff should have been sentenced to penal servitude for life.

The Chief Public Prosecutor, Major Agoura, refuted the appeals of Lieutenant Markoff as well as of the prisoners, and argued that the irregularities complained of did not afford ground

for reversing the previous finding, which he hoped the Court would confirm.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Conor to the Marquis of Salisbury.—(Received June 27.)

(Telegraphic.)

Sophia, June 27, 1890.

I HAVE the honour to report that Prince Ferdinand proceeded yesterday to Vienna from Widdin. His Royal Highness was accompanied as far as Turn Severin by M. Stamboloff, from whom a telegram has been received announcing his return this evening. His Excellency will act as Lieutenant while the Prince is absent, and the Decree appointing him will be promulgated to-morrow.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 27.)

(Telegraphic.)

Sophia, June 27, 1890.

THE support of Her Majesty's Government is earnestly requested by the Bulgarian Government to the demands addressed to the Sublime Porte in their note dated the 16th instant, and my Austrian and Italian colleagues have been asked to forward to their respective Governments applications of the same nature.

The Marquess of Salisbury to Mr. Fane.

SIR,

Foreign Office, June 27, 1890.

I LEARN from Mr. Baring that he has forwarded to you a copy of his despatch of the 15th instant, upon the subject of the state of affairs on the Turco-Montenegrin frontier; and I should wish you to take an opportunity of urging upon the Porte, in a friendly manner, the importance of maintaining a strict supervision over the frontier population.

I am, &c.,

E. Fane, Esq.

SALISBURY.

Mr. O'Conor to the Marquess of Salisbury.—(Received June 28.)

(Telegraphic.)

Sophia, June 28, 1890

THE sentence of capital punishment on Major Panitza having been confirmed by the Prince, he was to-day executed at the military camp close to the town.

Consul-General Blunt to the Marquess of Salisbury.—(Received July 2.)

(Telegraphic.)

Salonica, July 2, 1890.

M. MARINCOVITCH, Servian Consul at Pristina, in the Vilayet of Cossova, was murdered at that place yesterday evening. I have received this information from a reliable quarter.

Mr. Baring to the Marquess of Salisbury.—(Received July 3.)

MY LORD,

Cettinje, June 26, 1890.

WITH reference to my despatch of the 13th instant, I have the honour to state that I to-day informed the Minister for Foreign Affairs that I had reported to your Lordship his remarks on the subject of the unsatisfactory state of affairs on the frontier. I added that the Porte, by its proposal to erect forts, seemed to be showing a disposal to meet the wishes of the Montenegrins.

M. Vukovich said that he hoped that the scheme would lead to good results, and that all the Montenegrin Government desired was to be on friendly terms with the Porte and with the Albanians. Altogether his language was far more moderate than when he last discussed this subject with me.

In spite, however, of this change of tone, it is easy to see that there is a good deal of friction on the frontier.

The Turkish Minister has just been instructed to call the attention of the Prince's Government to a reported gathering of Montenegrins near Andrijevitza, who were threatening to attack Rugova. The only reply that Tewfik Bey could obtain to his representations was that telegraphic communication with the Vassojevich was interrupted.

Frontier disputes have also arisen near the Boyana, Montenegrins having crossed over to graze their flocks on Turkish territory.

The Montenegrin Government has complained that the Klementi Albanians have made a league with the people of Gusinje, and are threatening to attack the Kutchi, near a place called Veli-polje, about which there is one of those unsettled questions of grazing rights which are such fruitful sources of trouble in these countries. The Turkish Minister made inquiries, and denies that any such league exists; but he tells me that he heard, from a confidential source, that the Montenegrin Government intended sending four battalions of troops to Veli-polje, and one battalion from Vehka, whose business it would be to cut off the retreat of the Gusinjotes. This news made Tewfik Bey very uneasy, and he spoke to the Prince on the subject, who gave him satisfactory assurances.

All these circumstances go, I think, to prove what I stated above, that the condition of affairs on the frontier is far from what it ought to be, and that if there is too great supineness on the part of the Turks, there is too great activity on the part of the Montenegrins.

I have, &c.

The Marquess of Salisbury.

WALTER BARING.

Mr. O'Connor to the Marquess of Salisbury.—(Received July 4.)

(Extract.)

Sophia, June 28, 1890.

WITH reference to my telegram of this day's date, I have the honour to report that this morning Major Panitza was conducted from his place of confinement in town to the camp of Bali Effendi, close to Sophia, where the troops are quartered for the summer, and in presence of the whole brigade drawn up in military file he was shot by a peloton of twenty-four soldiers.

Major Panitza fell uttering the cry, "Long live Bulgaria."

After the execution, Major Marinoff, the Commandant of the Sophia garrison, addressed a short speech to the troops, in which he said that Major Panitza had met his death in just punishment for treason against his Prince and country, and that a similar fate would be dealt out to whosoever should prove a traitor to the interests of the Fatherland.

The troops maintained a perfectly impassive attitude throughout the proceedings, and the execution of the condemned in the presence of the garrison shows that the Government wished to make an example which should be a warning to the officers to refrain from the political intrigues that had during the last few years become so prevalent, and that were dangerously undermining the discipline and loyalty of the army.

The Marquess of Salisbury.

N. R. O'CONOR.

Mr. O'Connor to the Marquess of Salisbury.—(Received July 4.)

(Extract.)

Sophia, June 28, 1890.

THIS morning M. Jivkoff called on me, at the request of M. Stamboloff, to say that the Bulgarian Government trusted that if Her Majesty's Government did not give their support to the entire contents of the note addressed by them on the 16th instant to the Porte,* they would at any rate be willing to use their influence to persuade the Porte to consent to the appointment of Bulgarian Bishops at Uscup and Ochrida. This was the minimum satisfaction

* Page 1127.

which the Bulgarian Government could, under the circumstances, accept, and he wished to point out that if this concession was not granted, the Bulgarian Government would be positively obliged, and was, indeed, absolutely determined, to cease the payment of the Eastern Roumelian tribute next month. It was in order to avoid this contingency that he made bold to think that Her Majesty's Government, together with those of the friendly Powers, would do what lay in their power to prevent them from entering on a course of action which was inevitable.

In reply, I informed M. Jivkoff that I would communicate to your Lordship the request made on behalf of the Bulgarian Government; but I did not conceal from him that the course pursued by M. Stamboloff in the matter of this note was such as could not well be expected to enlist the approval of Her Majesty's Government, and I abstained from any comment which could be interpreted as likely to foreshadow any favourable reply on the part of your Lordship.

The Marquess of Salisbury.

N. R. O'CONOR.

Consul-General Blunt to the Marquess of Salisbury.—(Received July 4.)

(Telegraphic.)

Salonica, July 4, 1890.

WITH reference to my telegram of the 2nd instant, I am informed that the Servian Consul of Pristina was deliberately killed in a by-street by a gipsy.

The murderer has been arrested, and the affair is being investigated by the Turkish authorities and the Servian Consul-General of Uscup.

My informant states that the crime was perpetrated out of private vengeance.

Mr. Haggard to the Marquess of Salisbury.—(Received July 7.)

(Extract.)

Athens, June 30, 1890.

ON the occasion of Sir E. Monson presenting me on the 28th instant to the Minister for Foreign Affairs as Chargé d'Affaires during his absence, his Excellency produced a copy of the despatch which the Bulgarian Government had addressed to their Agent in Constantinople on the subject of their demands for the recognition of Prince Ferdinand, and for the establishment of Bishops who should have ecclesiastical jurisdiction over the Bulgarians, amounting, as that despatch stated, to 2,000,000 inhabitants of Macedonia.

His Excellency said that the Greek Government were entirely

indifferent to the former of these demands, but not so with reference to the latter; that if this were granted it would be necessary for Greece "d'aviser" as to what course she would adopt for the preservation of her interests as against those of Bulgaria in Macedonia.

The Marquess of Salisbury.

W. H. D. HAGGARD.

Mr. Haggard to the Marquess of Salisbury.—(Received July 7.)

MY LORD,

Athens, June 30, 1890.

IN the conversation with me to-day on the Bulgarian demands, M. Tricoupi alluded to the clause in the despatch containing them in which it is stated that the Patriarch of Constantinople, having excommunicated the Bulgarian Church, they no longer owned his supremacy. "If," said M. Tricoupi, "the Bulgarians are prepared to carry their argument to its logical conclusion, and declare themselves schismatics from the Orthodox Church in some such public manner that the fact of their schism should be definitely and generally recognized, they may have as many Bishops as they like in Macedonia or elsewhere; what we object to is the existence of an *imperium in imperio*, and the ascendancy that the Slavs in Macedonia will gain over the Greek element by the nomination of Orthodox Bishops of Bulgarian nationality."

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD.

Mr. Haggard to the Marquess of Salisbury.—(Received July 7.)

MY LORD,

Athens, June 30, 1890.

IN the Bulgarian note which has formed the subject of my immediately preceding despatches, I notice that the Minister alludes to the different manner in which the Mahommedans still remaining in Bulgaria are treated by this Government and people as compared with the treatment that has been accorded to Mussulmans who remained in other parts of the Turkish dominions which had fallen of late years into other hands.

I have had no means of verifying this statement, save as regards Thessaly.

From that province the Turkish population has now, from one cause and another, practically disappeared, with a result even more disastrous than followed the expulsion of the Moors from Spain. Thessaly was twelve years ago the granary of Turkey. The two great plains of which it is composed were in a high state of cultiva-

tion; one Steam Company alone sent over 100 steam-boats a-year from Volo to Constantinople. Now, from want of hands to work the land, it is fast going out of cultivation. Trade with Turkey has stopped, and no proportionate trade with other parts of Greece has taken its place, while no Greek population flows in to take the place of the emigrant Turk.

The Greek is nowhere a cultivator; he is now, as he has always been, a lawyer, a banker, a trader, a politician, a money-lender; this national characteristic increases with the spread of education, and one of the great problems of the future of this country would seem to be the question of the supply of helots to cultivate the soil.

Your Lordship is aware that an English Company has, during the last five years, been occupied in draining the Lake Copais. This work will probably be finished during the coming year; but the grave question will then present itself, where are the peasants to come from to cultivate the large area of reclaimed land? Nobody has hitherto suggested that they will be found in Greece.

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD

Consul-General Blunt to the Marquess of Salisbury.—(Received July 7.)

MY LORD,

Salonica, July 2, 1890.

WITH reference to my despatch of the 19th ultimo, I have the honour to transmit herewith, for the information of your Lordship, copies of the letters which I have received from Sir Donald Mackenzie Wallace and Mr. Macgowan on the subject of the alleged massacre of Christians by Arnauts in the Vilayet of Cossova.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure 1.)—Sir D. Wallace to Consul-General Blunt.

DEAR MR. BLUNT,

Uscup, June 24, 1890.

WITH regard to the statement recently published in the newspapers to the effect that in the Vilayet of Cossova about eighty Christians, of Servian nationality, had been killed by Albanians, I have made inquiries here, and I have come to the conclusion that the story is by no means without some foundation.

It seems that the Christian peasantry in the neighbourhood of Ipek have suffered recently even more than usual from the lawlessness of the Albanians, and that some of them determined to

emigrate to Montenegro. About forty of them, it is said, had nearly reached the Montenegrin frontier, when they were attacked, and a conflict ensued, in which there were losses on both sides. The Christians are reported to have lost about one-half of their number.

The object of the Albanians in attacking them was, I presume, to seize their movables, which they had with them.

Of course, I cannot guarantee the accuracy of these statements, and I have no means of verifying them, for there are no Europeans in the district in question, and the Turkish authorities are naturally very reticent about the affair. My authority, however, is thoroughly trustworthy, so far as good faith is concerned, and he has exceptional means of obtaining information.

As the conflict took place near the Montenegrin frontier, and is said to have been witnessed by Montenegrin frontier-guards, perhaps the best means of verifying the story would be to apply to our Agent at Cetinje.

I am, &c.,

J. E. Blunt, Esq.

DONALD MACKENZIE WALLACE.

P.S.—When I say “Christians of Servian nationality,” I use the word “nationality” in the ethnographical sense. The peasants in question were Ottoman subjects.

D. M. W.

(Inclosure 2.)—*Mr. Macgowan to Consul-General Blunt.*

DEAR SIR,

Philippopoli, June 24, 1890.

I HAVE been so busily occupied that I have not been able until now to write to you.

I made the inquiries that you desired at Uscup, but I found that no very definite information was obtainable.

The Consul says that there have been some disturbances in the locality referred to, but he thinks that the newspaper report contains much exaggeration. He says that he has heard that a party of emigrants on their way to Servia were attacked, and some were killed, but he regards the newspaper account as very highly coloured. He had not heard that any soldiers had been sent into the district, but I was told by a Greek doctor that I met at Uscup that he understood that some troops had been sent there. This doctor says that it is practically impossible to obtain definite and correct information as to these disturbances, but that he does not doubt that some outrages have been committed.

I am sorry that I was not able to ascertain anything more, but

outside of the circle of Turkish officials people in Uscup know but little of the subject.

I saw the Vali, and was pleasantly received.

Yours, &c.,

J. E. Blunt, Esq.

P. S. MACGOWAN.

Mr. Fane to the Marquess of Salisbury.—(Received July 7.)

MY LORD,

Therapia, July 2, 1890.

ON receiving your Lordship's despatch of the 17th ultimo, I caused inquiries to be made at the Porte as to whether there was any ground for the allegation, concerning which questions had been asked in the House of Commons, that a large number of Christians had been massacred by Arnauts in the Vilayet of Kossova.

Both the Grand Vizier and the Minister of War replied that they were at a loss to understand what could have given rise to such a statement, but that they would respectively address inquiries upon the subject to the Civil Governor and the Military Commander of the province.

I have daily been expecting to receive the result of those inquiries, and have therefore delayed replying to your Lordship's despatch, but up till now no answer has reached the Porte from the provincial authorities.

I have, &c.,

The Marquess of Salisbury.

EDMUND FANE.

The Marquess of Salisbury to Mr. Fane.

(Telegraphic.)

Foreign Office, July 7, 1890.

HER Majesty's Government do not support Bulgarian note to Porte on account of the demand contained in it for the recognition of Prince Ferdinand, which they consider unwise.

But, without mentioning the note, you should generally advise the Porte to treat Bulgaria as favourably as it properly can in ecclesiastical questions in Macedonia.

Communicate with your Austrian colleague on the subject.

The Marquess of Salisbury to Mr. O'Connor.

SIR,

Foreign Office, July 8, 1890.

I HAVE received and laid before the Queen your despatch of the 28th ultimo, reporting your communications with M. Jivkoff when the latter, on behalf of the Bulgarian Government, requested the

assistance of Her Majesty's Government with a view to induce the Porte to grant some of the demands recently put forward by the Principality.

Your language upon the occasion in question is approved by Her Majesty's Government.

I am, &c.

N. B. O'Conor, Esq.

SALISBURY

Mr. Baring to the Marquess of Salisbury.—(Received July 10.)

MY LORD,

Cettinje, July 2, 1890.

WITH reference to my despatch of the 26th ultimo respecting affairs on the Turco-Montenegrin frontier, I have the honour to report that serious complaints are now being made against the Montenegrins by the Turkish authorities.

It is reported that on the 29th ultimo a band of Montenegrins attacked a village belonging to Rugova. A fusillade was kept up for several hours, with the result that there were a few killed and wounded on each side.

The Montenegrins are also said to have attacked the villages of Bjania and Pepice, the former of which is situated on the right, the latter on the left, bank of the Lim, not very far from the Lake of Plava, but what was the result of the combats I do not know.

No less than seven Mussulmans of Gusinje are reported to have been murdered quite recently, close to the frontier, by Montenegrins—five on one occasion and two on another.

Two Mussulman merchants of Sjenitza, going to Gusinje on business, are also reported to have been murdered.

The consequence of these acts on the part of the Montenegrins is that great excitement prevails among the inhabitants of Gusinje, who declare they will resort to reprisals.

In my despatch of the 4th ultimo I reported that the Turkish Minister had told me that the Prince had promised to grant the extradition of the Bayahs who had murdered a Mussulman of Rugova. When I last saw Tewfik Bey, a few days ago, he informed me that the men had not as yet been given up.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Sir A. Paget to the Marquess of Salisbury.—(Received July 11.)

MY LORD,

Vienna, July 9, 1890.

WITH reference to Mr. Fane's telegram of the 7th instant, I informed Count Kalnoky that your Lordship had instructed Her

Majesty's Chargé d'Affaires at Constantinople to advise the Porte to be as favourable to Bulgaria in Macedonian ecclesiastical questions as it properly can, and that he was to communicate with Baron Calice. I have the honour to inform your Lordship that M. de Szögyényi assured me to-day, in reply to my inquiry, that similar instructions had been sent to the Austro-Hungarian Ambassador at the Porte.

I have, &c.,

The Marquess of Salisbury.

A. PAGET.

Mr. O'Connor to the Marquess of Salisbury.—(Received July 11.)

MY LORD,

Sophia, July 7, 1890.

WITH reference to my despatch of the 7th February, 1889, reporting the arrest of certain persons for signing an Address to the Bulgarian Exarch which contained reflections on the Prince and Government, I have now the honour to inclose an extract from "La Bulgarie," from which your Lordship will perceive that all the accused have now been acquitted with the exception of M. P. Stanchoff, who was sentenced to twelve months' imprisonment, to date from his arrest eleven months ago.

It is believed that M. Stanchoff will appeal against this sentence.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

(Inclosure.)—Extract from "La Bulgarie" of July 6, 1890.

HIER, Vendredi, est venue à l'audience du Tribunal Départemental de Sophia l'affaire dite de l'Adresse à l'Exarque, à propos de l'expulsion des Évêques récalcitrants. Tous les accusés ont été acquittés, à l'exception de M. P. Stantchof, qui a été condamné à douze mois d'emprisonnement, sauf à déduire les onze mois d'arrêt préventif, ce qui réduit la peine à subir à un mois. On nous assure, néanmoins, que M. Stantchof fera appel de cette sentence.

Mr. Fane to the Marquess of Salisbury.—(Received July 11.)

(Telegraphic.)

Therapia, July 11, 1890.

WITH reference to your Lordship's telegram of the 7th instant, I have the honour to inform your Lordship that Baron Blanc, the Italian Ambassador, was in receipt last night of instructions from his Government to join his Austrian colleague and myself in a recommendation to the Sublime Porte to make all reasonable concessions on the question of the Bulgarian Bishops in Macedonia.

I am informed that his Excellency will act upon these instructions to-morrow.

Both Baron Calice and I have already acted on our instructions to counsel the Porte to view the Bulgarian wishes on this question in as favourable a light as possible.

The Marquess of Salisbury to Mr. O'Connor.

(Telegraphic.)

Foreign Office, July 11, 1890.

WE cannot support the application of the Bulgarian Government for the recognition of Prince Ferdinand. We think it unwise to put forward such a demand at the present time.

We are, however, doing what we can to prevail upon the Porte to redress ecclesiastical grievances of Sultan's Bulgarian subjects in Macedonia.

Inform Bulgarian Minister for Foreign Affairs.

The Marquess of Salisbury to Mr. Fane.

(Telegraphic.)

Foreign Office, July 11, 1890.

ECCLESIASTICAL question in Macedonia.

Act in concert with your Austro-Hungarian and Italian colleagues in recommending Porte to consider favourably any proposal for redressing the ecclesiastical grievances of Bulgarian subjects of the Sultan in Macedonia.

Mr. Fane to the Marquess of Salisbury.—(Received July 12.)*

MY LORD,

Therapia, July 8, 1890.

I HAVE but just time to do myself the honour of forwarding to your Lordship by this afternoon's post the inclosed copy of a fresh communication from the Bulgarian Government to the Sublime Porte, signed by M. Stamboloff. This communication softens down the first note by declaring that the sense attributed to the latter, namely, that it aimed at forcing the hand of the Sublime Porte by intimidating the Imperial Government, is absolutely contrary to the truth, the real object of that note having been merely to explain to the Suzerain Government the situation of Bulgaria, and to solicit the aid and protection of the Imperial Government.

This new note is dated the ^{22nd June}_{4th July}; it was sent by telegraph, and

* Substance received by telegraph.

was immediately (on Saturday, I think) presented to the Grand Vizier by Dr. Voulcovitch.

I am sending a copy of this despatch to Mr. O'Connor.

I have, &c.,

The Marquess of Salisbury.

EDMUND FANE.

(Inclosure.)—*M. Stamboloff to Dr. Voulcovitch.*

*Sophia, le 22 Juin
4 Juillet, 1890.*

JE vous autorise de déclarer en mon nom à son Altesse le Grand Vizir et à la Sublime Porte que le sens et la portée attribués à la lettre du Gouvernement en date du 4^e Juin courant, à savoir, qu'elle vise de forcer la main à la Sublime Porte en intimidant le Gouvernement Impérial, sont absolument contraires à la vérité. Le but réel de la lettre en question est celui d'exposer au Gouvernement Suzerain la situation de la Bulgarie et de solliciter l'aide et la protection du Gouvernement Impérial de Sa Majesté le Sultan.

Dr. Voulcovitch.

STAMBOLOFF.

Mr. Fane to the Marquess of Salisbury.—(Received July 13.)

(Telegraphic.)

Therapia, July 13, 1890.

WITH reference to your Lordship's telegram of the 11th instant, Baron Blanc, the Italian Ambassador, informed the Sublime Porte yesterday that, in accordance with instructions received from his Government, his Excellency joined with his Austrian and British colleagues in counselling the Imperial Government to look upon the Bulgarian wishes in the question of the Bishops in Macedonia favourably.

Mr. Fane to the Marquess of Salisbury.—(Received July 13.)

(Telegraphic.)

Therapia, July 13, 1890.

WITH reference to my telegram of the 11th instant, I have the honour to state to your Lordship that M. de Radowitz informed me yesterday that he had told the Grand Vizier and Saïd Pasha, Minister for Foreign Affairs, that the German Government, although desirous of continuing in their attitude of reserve in matters connected with Bulgaria, feel themselves compelled in the general interests of peace to express their approval of the counsel given to the Sublime Porte by the Cabinets of Great Britain, Italy, and Austria, viz., that concessions ought to be made with respect to the position of the Bulgarian Bishops in Macedonia.

Mr. Baring to the Marquess of Salisbury.—(Received July 14.)

MY LORD,

Cettinje, July 6, 1890.

IN previous despatches I have had the honour to report to your Lordship on the subject of the rumoured distribution of arms to Rayahs who had come to Cettinje. The Turkish Minister having lately received instructions to make official representations on the subject to the Montenegrin Government, called on M. Vucovitch and asked for explanations. That gentleman positively denied that the Government had distributed a single rifle, but said that possibly some Montenegrins who had old arms in their possession may have sold them to the refugees, though where the latter, who are supposed to have crossed the border in great destitution, got the money to pay for their purchases, he did not explain.

The Turkish allegation is that, altogether, 300 rifles have been distributed. Of course, it is impossible to fix the exact number, but I have very little doubt that arms have been distributed.

In my despatch of the 2nd instant I mentioned the complaints made by the Turkish authorities against the Montenegrins.

Tewfik Bey called on me yesterday and spoke to me at great length on these subjects, and, if all his information is correct, the frontier populations may be said to have been at open war with each other for the last month.

He had first complained of a gathering of armed Montenegrins near Andrijevitza. The Prince and M. Vucovitch gave some explanations and assurances, but said that reliable information could not be got at once, as the telegraph to Andrijevitza was interrupted (see my despatch of the 26th ultimo). After several days' delay M. Vucovitch gave further explanations which were rather of a contradictory nature. He first said that the Rugova people had been firing a "feu de joie," and that the Montenegrins had assembled, thinking they were going to be attacked, but that there had been no fighting; and again, on a subsequent occasion, he said that there had been a skirmish, and that lives had been lost.

After this came the attacks on Rugova and on the villages in the valley of the Lim.

Tewfik Bey said that no less than seventeen Mussulmans had been murdered by Montenegrins during the last four weeks, the cases of the two merchants of Sjenitza being peculiarly atrocious. These men, who were totally unconnected with the country, presented themselves at the Montenegrin frontier near the Lim and asked if they could pass in safety. They were assured no harm would befall them, but when they had ridden inland for an hour or so they were attacked and murdered.

Tewfik Bey has naturally made strong representations respecting these outrages, and has received the most friendly assurances. He was told that the murderers of the two merchants had been arrested, and that the Captain of Andrijevitza, who was a good deal to blame for all these disturbances, had been put under arrest, and would be brought to Cetinje.

Tewfik Bey went on to say that there was much excitement among the Albanians, but that they were kept in check by the strong force posted along the frontier at Gusinje, Ipek, and other places, and he thought that the Albanians thus being restrained had emboldened the Montenegrians to make these attacks.

With regard to the dispute between the Kutchi and the Klementi respecting Velipolje, to which I have referred in my despatch of the 26th ultimo, Tewfik Bey told me that the Prince had now consented to have the Montenegrin claim adjudicated on by the Scutari Tribunals.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

P.S.—I omitted to state that another "Captain" has actually been appointed for the district of Andrijevitza, and has already left for his post.

W. B.

M. Yovitchich to the Marquess of Salisbury.—(Received July 15.)

M. YOVITCHICH presents his compliments to his Excellency the Marquess of Salisbury, and begs to call the attention of his Excellency, according to the instructions received from the Servian Government, to the assassination of the Servian Vice-Consul in Pristina, M. Luka Marinkovich, which took place in that town, as his Excellency is already aware, on the 19th ultimo (o. s.), about 8.30 p.m., when there were still people in the streets, and many shops open, and hardly about 150 yards from the Governor's residence.

The news of the murder only reached Belgrade next morning about 3 o'clock, although the widow of M. Marinkovich sent the telegram about 10 the night before. According to the information received from her and the Servian Consul in Uscup-Skoplje, M. Karich, who has been ordered to proceed at once to Pristina to assume the duties of the Servian Consulate there, and make the strictest inquiries as to the circumstances under which M. Marinkovich was shot, the probability is that the murder has been committed by an organized conspiracy of some fanatical Turks and Albanians of Pristina. As yet it has not been ascertained how far the local authorities may be implicated in the affair, but it is

certain that they were not ignorant of the fanatical hate some inhabitants entertained against the Servian Vice-Consul, as the Mutessarif of Pristina, through the Turkish Minister at Belgrade, had asked General Grouich, not long ago, to transfer M. Marinkovich to another post, as it was thought that he had legalized some papers which were not authentic. Although such reasons would not be sufficient for the removal of an official, even if proved true, still, for the sake of the maintenance of friendly relations with Turkey, and in the interest of avoiding any possible disagreement or friction between the Servian Agents and the Turkish authorities, General Grouich promised to move M. Marinkovich from Pristina as soon as he could find a suitable person to replace him; at the same time, the impression this little incident left was that the Mutessarif's dissatisfaction was directed more against the institution of the Servian Consulate in Pristina than the person of M. Marinkovich.

The local authorities seem to have been wanting in patience. From the information received it transpires that about ten to fifteen days before the murder, a gipsy began coming frequently in front of the Servian Consulate, and, under the pretence of being drunk, made great disturbance and all sorts of annoyance. Such repeated boldness from a gipsy could hardly be understood unless he was instigated by others. On the very evening of the assassination the gipsy came twice, and caused such disorder before the Consulate that M. Marinkovich, when the gipsy came for the second time, found himself forced to order his "gavas" to take the man to the police, and afterwards himself left the Consulate to go to the Governor's house to complain of the offence, when the murderer's hand stayed him on the way. It can hardly be doubted that the gipsy in question played the rôle of a *provocateur* in order to bring M. Marinkovich out on the street, where his murderer awaited him.

The incident which preceded this horrible crime, and the circumstances under which it was committed, are of such a nature that it must be regarded as the consequence of incited fanaticism, in the face of which the Turkish authorities, either being powerless, or from some other reason, seem standing with folded arms. The Vilayet of Cossova is the scene of constant violence and crime. Not a day almost passes but that the news does not reach the Servian Government of some murder, robbery, and of violent breaking-up of homes of the whole of the Christian communities. The Servian Government has been obliged twice already to make friendly representations to the Sublime Porte asking that serious measures might be taken at last to prevent illegalities, which forced hundreds of poor Christian families, almost naked and barefooted, to the Servian territory, thereby exciting the people on the frontier, and

giving cause for all sorts of disturbances. It is not impossible that the assassination of the Servian Vice-Consul in Pristina was aimed principally to get rid of a witness of Albanian cruelties and of the powerlessness of the local authorities, whose duty it is to defend the oppressed from their oppressors.

All such causes not only give the right to the Servian Government, but impose on them the duty, to demand a full satisfaction from the Sublime Porte. The Servian Minister in Constantinople has received instructions in that sense, and to ask the moral satisfaction due to the insulted Servian flag as well as an indemnity to the family of the late Consul. As moral satisfaction, the Servian Minister is to ask that the soldiers of the garrison of Pristina make a *défilé* in front of the Servian flag hoisted on the Vice-Consulate. In doing that, the Servian Government is deeply convinced that it not only asserts the interests of their own dignity, but the consolidated interests of the entire international community, which cannot look on with indifference when the most sacred duties in the intercourse of the foreign States are brutally tampered with, and Agents are assassinated whose calling is to cultivate and foster the friendly relations of the various nations and States.

M. Yovitchich has, therefore, the honour, in accordance with his instructions, to request his Excellency the Marquess of Salisbury to use his influence and friendly advice at the proper quarter that Serbia may receive due satisfaction, and so hasten the judicious settlement of all questions raised in consequence of the unfortunate event in Pristina.

The investigation, which is conducted by the Public Prosecutor of Uscup, in conjunction with the authorities of Pristina, and in the presence of the Servian Consul, the said M. Karich, has not had much result as yet. Several persons have been arrested, but there is no positive evidence of their connection with the crime. Among them is also the gipsy aforementioned. It is characteristic that the local authorities of Pristina in the beginning attempted to ascribe the murder to him, wishing to represent the assassination as a crime out of personal vengeance. The absurdity of such a supposition is evident when it is kept in mind that the gipsy in question had been taken to the police by the "gavas" of the Consulate some time before the murder, and that such an explanation is utterly impossible. It has been intended by this, it is thought, to give the murder quite a different character, and make a trivial matter of it.

The Royal Servian Legation, London, July $\frac{2}{18}$, 1890.

Mr. Fane to the Marquess of Salisbury.—(Received July 16.)

MY LORD,

Therapia, July 12, 1890.

WITH reference to Mr. Baring's despatch to your Lordship of the 2nd instant, I have the honour to state that from the information I have been able to obtain it appears that a border warfare of an unusually serious description has been going on between the Montenegrins and the Albanians.

The Montenegrins appear to have made a regular invasion of the Sandjak of Ipek, and to have severely harried the country. Gusinje especially suffered, and so much loss of life as well as of property occurred on the side of the Albanians that it is to be feared lest they may refuse to be quieted until they have taken ample revenge on the Montenegrins.

However, the Turkish troops in the locality have now been reinforced, and, moreover, I learn that great satisfaction has been given to the Porte by the assurances which it has received from the Montenegrin Government, that they had nothing whatever to do with the incursion which took place in Turkish territory, and that they would do everything on their side to prevent a renewal of the conflicts between their people and the Albanians.

I have, &c.,

The Marquess of Salisbury.

EDMUND FANE.

Mr. Baring to the Marquess of Salisbury.—(Received July 17.)

MY LORD,

Cettinje, July 9, 1890.

I INFORMED M. Vucovich to-day that your Lordship had instructed Her Majesty's Chargé d'Affaires at Constantinople to draw the attention of the Porte to the state of affairs on the Turco-Montenegrin frontier,* and I availed myself of the opportunity to tell his Excellency that, judging from what I had recently heard, the situation had undergone a change, and that Turkey was now complaining of Montenegrin aggression.

His Excellency declared that the reports were exaggerated, but he admitted enough to make it quite clear to me that there was a considerable amount of agitation going on in the Vassojevich district.

With regard to the first encounter between Rugoviotas and Montenegrins, mentioned in my despatch of the 6th instant, he said that the former had provoked it by their menacing attitude. He denied that the villages of Pepice and Rjanica had been

* Marquess of Salisbury to Mr. Fane, June 27, 1890 (page 1135).

attacked, but admitted that the Montenegrins had threatened to attack them.

The murder of the two Mussulmans of Sjenitza was, he said, unfortunately true, and he deeply regretted the deed, which he qualified as most abominable. The murderers had been brought to Cetinje, and he himself would do all he could to have them most severely punished.

He said that it was true that some Gusinjiotes had been killed by Montenegrins, but these were acts of vengeance. The people of Gusinje had murdered and robbed Montenegrins, and the Montenegrins replied by murdering and robbing the Gusinjiotes. This very likely may be true, as the people of Gusinje are notorious for their ferocity and fanaticism.

M. Vucovich went on to say that strong measures had been taken, and that he hoped that order would now be completely re-established in the border districts. He added that orders had been given to the inhabitants of the Vassojevich not to offer resistance even if their villages were attacked by Albanians, but simply to withdraw.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Mr. Fane to the Marquess of Salisbury.—(Received July 17.)

(Telegraphic.)

Therapia, July 17, 1890.

I HAVE the honour to report to your Lordship that the Grand Vizier received to-day an Irade from the Sultan, authorizing the issue of Berats to the Bulgarian Bishops in Macedonia. At the same time, however, his Highness received the Sultan's command that before giving effect to the said Irade, he should satisfy His Majesty that no further demands would be made by the Bulgarian Government, especially demands of such a nature as would, if acceded to by the Porte, involve a departure on the part of the Ottoman Government from the stipulations of the Treaty of Berlin.

I have communicated by telegraph to Her Majesty's Representatives at Sophia and Vienna the above information.

Mr. Fane to the Marquess of Salisbury.—(Received July 19.)

(Telegraphic.)

Therapia, July 19, 1890.

WITH reference to my telegram of the 17th instant touching the assurance to be given to His Imperial Majesty the Sultan by the Grand Vizier, to the effect that, if the Berats should be granted to the Bulgarian Bishops, no further embarrassing demands would

be made by the Bulgarian Government, especially such as would be contrary to Treaty stipulations, I have to report that his Excellency Baron Calice and I both received yesterday a visit from the Minister for Foreign Affairs, and we imparted to him, for his own and Kiamil Pasha's information, our personal conviction that "our two Governments will not desist from urging upon the Bulgarian Government the necessity of prudence, moderation, and respect for Treaty engagements."

The Marquess of Salisbury to Mr. Fane.

(Telegraphic.)

Foreign Office, July 20, 1890.

YOUR telegram of yesterday: Grant of Berats to Bulgarian Bishops.

You may repeat, in my name, assurance you have given to Grand Vizier.

Sir A. Paget to the Marquess of Salisbury.—(Received July 21.)

(Extract.)

Vienna, July 19, 1890.

IN my interview with Count Kálnoky yesterday afternoon I referred, very naturally, to the satisfactory intelligence (reported in Mr. Fane's telegram of the 17th instant) of the Sultan having sanctioned the grant of Berats for the appointment of Bulgarian Bishops in Macedonia, intelligence which had, Count Kálnoky informed me, been likewise reported by Baron Calice, who, however, his Excellency said, had not mentioned the Iradé being accompanied by the condition specified by Her Majesty's Chargé d'Affaires.

Count Kálnoky expressed the hope that by this concession the recent acute phase of the Bulgarian question might be considered to have passed over, and that, at all events for the immediate future, the relations between Bulgaria and the Porte might continue uninterruptedly on their hitherto peaceful and friendly footing.

The Marquess of Salisbury.

A. PAGET.

Mr. Fane to the Marquess of Salisbury.—(Received July 21.)

(Telegraphic.)

Therapia, July 21, 1890.

WITH reference to your Lordship's telegram of yesterday, I have the honour to report to your Lordship that Baron de Calice has received from Count Kálnoky a similar authorization to that conveyed to me by your Lordship.

The Marquess of Salisbury to M. Yovitchich.

M. LE CHARGÉ D'AFFAIRES,

Foreign Office, July 22, 1890.

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, relative to the recent murder of the Servian Vice-Consul at Pristina, in which you express the hope of your Government that Her Majesty's Government will use their influence to obtain for Servia proper satisfaction for this painful incident. In reply, I have to state that, pending the result of the inquiry which is still proceeding, any intervention on the part of Her Majesty's Government appears to be out of place.

I have, &c.,

M. Yovitchich.

SALISBURY.

Mr. Baring to the Marquess of Salisbury.—(Received July 24.)

(Extract.)

Cettinje, July 17, 1890.

WITH reference to my despatch of the 9th instant and to previous despatches, I have the honour to report that a somewhat better state of things now appears to prevail on the frontier. At any rate, no fresh outrages have taken place. This sudden amelioration proves, I think, with what perfect ease the Montenegrin Government can, if they only choose, restrain their subjects from acts of violence.

I hear Tahir Pasha has been sent to the frontier to select sites for the erection of the block-houses.

I see in the "Times" a Vienna telegram of the 6th instant, in which it is reported that Montenegrin bands were in Ipek. This is of course absurd. Ipek is strongly garrisoned, and is inhabited almost exclusively by Mussulmans, and no Montenegrin bands would be strong enough to attack it.

The places attacked by the Montenegrins were two villages in the Lim valley, and a Rugova village called "Hatchai," which is not marked on any map in my possession.

The Marquess of Salisbury.

WALTER BARING.

Mr. Baring to the Marquess of Salisbury.—(Received July 24.)

(Extract.)

Cettinje, July 17, 1890.

IN his despatch of the 20th August last Mr. Lamb reported to your Lordship that a Mixed Commission, which had been engaged at Berana for some months in an endeavour to settle the question as to the revenues of lands still owned by Turkish subjects in

districts now belonging to Montenegro, had interrupted its sittings. Mr. Lamb further explained the situation of the Mussulman land-owners.

This question has now been revived, and the Turkish Minister has been instructed to call upon the Montenegrin Government to settle these long-outstanding claims, and at the same time to avail themselves of Tahir Pasha's presence on the frontier to settle another dispute respecting rights of pasturage which has been going on for a long time between the Montenegrins of Sekular and the Albanians of Rugova.

The Marquess of Salisbury.

WALTER BARING.

Mr. O'Connor to the Marquess of Salisbury.—(Received July 25.)

MY LORD,

Sophia, July 12, 1890.

ON receipt of your Lordship's telegram of yesterday's date, I informed M. Jivkoff, who is Acting Minister for Foreign Affairs, that your Lordship was giving what support you could with a view to persuade the Sublime Porte to accede to the demands preferred by the Bulgarian Government in regard to the question of ecclesiastical privileges in Macedonia.

M. Jivkoff expressed the sincere thanks of the Bulgarian Government for your Lordship's assistance in this matter, the settlement of which he regarded as of vital importance for the continuance of good and friendly relations between the Porte and the Bulgarian Government.

I have, &c.,

The Marquess of Salisbury.

N. B. O'CONOR.

Consul-General Blunt to the Marquess of Salisbury.—(Received July 25.)

MY LORD,

Salonica, July 17, 1890.

I HAVE the honour to report to your Lordship that the Governor-General of Salonica has received a telegram, dated the 15th instant, from the Ottoman Consul at Larissa, advising him of his having heard from a reliable quarter that a band composed of thirty individuals had been formed in Thessaly, and was preparing to penetrate into Turkish territory for the purpose of carrying on brigandage in Macedonia.

I have telegraphed the substance of this report to Her Majesty's Chargé d'Affaires at Constantinople.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

Mr. Fane to the Marquess of Salisbury.—(Received July 25.)

(Extract.)

Therapia, July 14, 1890.

On the 8th instant I had the honour of receiving your Lordship's telegram of the 7th instant, instructing me that I should, in a general way, advise the Porte to be as favourable as it properly can to Bulgaria on the Macedonian ecclesiastical question; that I was to communicate with my Austrian colleague on this subject; and that, in my communication to the Porte, I was to abstain from all reference to the Bulgarian note of the 10th ultimo.

In consequence of the above referred to instruction, I called the same day on the Austrian Ambassador and acquainted him with the orders which I had received from your Lordship.

M. de Calice said that, although he had not as yet received any direct instruction authorizing him to do so, he should, nevertheless, support, as far as he could, the advice which, on the part of Her Majesty's Government, I was about to offer to the Porte.

The following day (Wednesday, the 9th instant) I went to the Porte and asked to see the Foreign Minister, as well as the Grand Vizier. They were both sitting in the Council of Ministers, which is held every Wednesday, but Saïd Pasha came out to see me, and was directly afterwards joined by Kiamil Pasha.

I then delivered my instruction textually as I had received it.

Saïd Pasha said he would take it down in writing, and in doing this his Excellency remarked on the words "*de se montrer aussi favorable que faire se peut 'à la Bulgarie' dans la question ecclésiastique,*" &c., and suggested that I should allow him to substitute for my original words the following ones:—

"*J'ai reçu, pour instruction de mon Gouvernement de conseiller à la Sublime Porte de se montrer aussi favorable que faire se peut dans la question épiscopale Bulgare.*"

He said that this formula would be a much more agreeable one to the Imperial Government, and one more likely to conduce to the attainment of the object of my instruction. The Bulgarians in Macedonia were Ottoman subjects, and not subjects of the Government at Sophia.

So long as the Bishops got their Berats, I considered that the form by which that object was attained mattered little. I said to the two Ministers that the object of Her Majesty's Government in ordering me to convey to them the advice which I had given was, in the foremost place, to preserve the peace of Europe, which might be endangered if the Bulgarian Government were driven to rash extremities by the refusal of the Porte to listen to any of their demands, and, in the second place, to be serviceable to the Ottoman Government. Since those objects were, in the opinion of the

Minister for Foreign Affairs, likely to be furthered by the proposed alteration of my literal instructions, I consented, on my own responsibility, to the modification which he desired.

On calling the next morning (the 10th instant) on the Austrian Ambassador, I found that he had just received official instructions to support me in advising the Porte to make every possible concession on the episcopal question. His Excellency carried out his instructions the same afternoon.

The next morning (Friday, the 11th instant) the Italian Ambassador informed me and my Austrian colleague that he had the night before received an instruction from M. Crispi to join the British and Austrian Representatives in recommending the Porte to show itself favourable to the wishes of the Bulgarian Government respecting the question of the Bulgarian Bishoprics in Macedonia. This instruction Baron Blanc carried out the following day (Saturday, the 12th instant).

That same evening I received a letter from the German Ambassador telling me that he had informed the Grand Vizier and the Minister for Foreign Affairs that his Government, while desirous of maintaining their reserve on the Bulgarian question, could not but express their approval, in the general interests of European peace, of the advice which the Representatives of England, Austria, and Italy had given to the Sublime Porte.

I shall have the honour in subsequent despatches of reporting to your Lordship the further progress of this business.

The Marquess of Salisbury.

EDMUND FANE.

Mr. Fane to the Marquess of Salisbury.—(Received July 25.)

MY LORD,

Therapia, July 18, 1890.

IN obedience to the instruction contained in your Lordship's despatch of the 27th ultimo, I to-day represented to the Grand Vizier, as well as to the Minister of Foreign Affairs, the importance of maintaining a strict supervision over the population of the Turco-Montenegrin frontier.

They both assured me that order had now been restored on that frontier. Said Pasha added that the fighting which had taken place had been occasioned by disputes as to certain rights of pasturage, and that an Ottoman Commissioner had been appointed to meet a Montenegrin Commissioner, in order to arrange on the spot this matter of contention between the rival populations.

I have, &c.,

The Marquess of Salisbury.

EDMUND FANE.

Sir A. Paget to the Marquess of Salisbury.—(Received July 25.)

(Extract.)

Vienna, July 23, 1890.

WITH reference to the statements which have been made in the newspapers as to Duke Ernest of Saxe-Coburg's visit to Vienna, and his conferences with Count Kálnoky respecting the abdication of Prince Ferdinand, I have the honour to inform your Lordship that Duke Ernest of Saxe-Coburg has not been in Vienna at all, and that no communications whatever have passed between His Highness and Count Kálnoky in regard to the above-named subject.

The Marquess of Salisbury.

A. PAGET.

Mr. Baring to the Marquess of Salisbury.—(Received July 28.)

(Extract.)

Cettinje, July 21, 1890.

I HAD occasion to see the Prince yesterday, when His Highness requested me to convey to your Lordship the most positive assurance that he was most peacefully disposed towards his neighbours, and that on no account would he do anything to cause disturbance in Europe.

With regard to the frontier provinces, His Highness said that everything was quiet there now; that the newly-appointed "Captain" of Andrijevitza had had a satisfactory interview with the Turkish Military Commanders, and that all the troubles had arisen from mutual distrust. The Montenegrins thought they were going to be attacked by the Albanians, and the latter feared the Montenegrins were going to attack them.

The Marquess of Salisbury.

WALTER BARING.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received July 30.)

(Extract.)

Belgrade, July 24, 1890.

REFERRING to the murder of the Servian Vice-Consul at Pristina, my Turkish colleague told me yesterday that the Servian Minister at Constantinople had, by order of his Government, demanded reparation for the insult to the Servian Consular escutcheon alleged to have been offered by what befell the Vice-Consul, and also the payment of an indemnity to the bereaved widow; but that the Porte has refused both demands on the ground, in the first place, that the murder was committed at a distance from the Consulate, and, in the second, that a Government cannot be held responsible for every act of private vengeance committed within its territory beyond making

all reasonable effort to discover the author, and inflicting on him adequate punishment when captured.

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. Fane to the Marquess of Salisbury.—(Received July 30.)

MY LORD,

Therapia, July 26, 1890.

I HAVE the honour to report that Dr. Voulcovitch, the Bulgarian Agent at Constantinople, called upon me to-day and said that he had been ordered to express to me, in M. Stamboloff's name, the gratitude which the Bulgarian Government felt towards Her Majesty's Government for the support which your Lordship had directed Her Majesty's Embassy to give to the wishes of the Bulgarian people in the question of the Bishops in Macedonia.

I told the Bulgarian Agent that I should have pleasure in transmitting his communication to your Lordship.

I have, &c.,

The Marquess of Salisbury.

EDMUND FANE.

Sir W. White to the Marquess of Salisbury.—(Received July 30.)

(Telegraphic.)

Therapia, July 30, 1890.

THE Sublime Porte received, on the afternoon of Saturday last, the 26th instant, the authorization of the Sultan to issue to two Bulgarian Bishops in Macedonia their Berats of investiture.

Two reservations were inserted in the Imperial Iradé by the Sultan: the first, to the effect that His Imperial Majesty would hold his Ministers responsible should any complications arise from this measure; the second, that endeavours should be made to persuade the Exarch to cause his Bishops to adopt some distinguishing badge.

Some delay in the issue of these Berats has occurred owing to the Bairam festivals, but I receive assurances on all sides that the Sublime Porte will deliver them in the course of the next few days to the Bulgarian Exarch.

Vice-Consul Lamb to the Marquess of Salisbury.—(Received July 31.)

MY LORD,

Scutari, July 24, 1890.

I HAVE the honour to acknowledge receipt of Sir Philip Currie's despatch of the 10th instant,* transmitting copy of a despatch and

* Transmitting copy of Consul-General Blunt's despatch of the 2nd July (page 1140), and asking for information on the subject.

inclosures from Mr. Consul-General Blunt, relative to certain alleged massacres of Serb Rayahs in the Vilayet of Kossovo, and desiring information.

As I only returned to my post yesterday from six months' leave of absence, it is impossible for me to report at any length by to-day's mail. So far, however, as I have at present been able to ascertain, nothing deserving the name of a "massacre" has been heard of here, and though, seeing the desultory nature of the communications between Scutari and the interior, this absence of knowledge by no means amounts to absolute disproof, yet I am inclined to believe that nothing of the sort has taken place.

On the other hand, it is beyond doubt that the Kossovo Vilayet has been, this summer, in something more than its normal condition of disturbance, the agitation having become more acute, and more widely diffused than I found it in the autumn of last year.

Armed gatherings and conflicts between Christians and Mussulmans have occurred in several places, in one of which five or six lives are said to have been lost on either side, while about a fortnight ago the gravest anxiety existed at the Konak here regarding the state of affairs in the district of Gussinjé, that part of the Province of Kossovo immediately abutting on the Scutari Vilayet, where between 4,000 and 5,000 Arnauts belonging to some of the most unmanageable clans had assembled for the purpose of striking in in a long-standing feud between the people of Rugova and their Montenegrin neighbours.

The Governor, however, this morning, assured me that in consequence of measures taken by the military authorities at Ipek and elsewhere, and the arrangements concluded with the Montenegrin Government for the mutual surveillance of the frontier, the danger of further serious conflicts might now be considered as obviated.

Should I be able to procure any further or more precise information in the course of the next few days, I will not fail to communicate it to your Lordship by the ensuing mail.

I have, &c.,

The Marquess of Salisbury.

HARRY H. LAMB.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received August 1.)

MY LORD,

Belgrade, July 27, 1890.

I TOLD General Gruitch yesterday that I had received private information from Sophia of renewed rumours there of Servian military preparations against Bulgaria, that they had been propagated from hence by Bulgarian refugees, and that I had written to my informant denying their truth.

His Excellency expressed his approval of my having done so, as well as his satisfaction at the circumstance that such rumours were circulated this time by Bulgarians and not by Servians. He then proceeded to explain that the appointment of M. Steyitch as titular Servian Agent at Sophia, the contemplated speedy resumption of Commercial Treaty negotiations with Bulgaria, and the prospect of a settlement of the Servo-Bulgarian frontier question, which has been the cause of such constant friction in the past, were all calculated to bring about a better feeling between the two countries.

To this I observed that the selection for the post of Servian Agent at Sophia of M. Steyitch was, in itself, sufficient proof of his Excellency's conciliatory disposition, for I had heard him spoken of, by one of my foreign colleagues who has known him intimately for many years, as the very best choice that could have been made.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

M. Yovitchich to the Marquess of Salisbury.—(Received August 2.)

M. LE MINISTRE,

London, ^{July 20}_{August 1}, 1890.

SINCE I had the honour, in the name of my Government, to explain to your Excellency the circumstances under which our Vice-Consul in Pristina has been assassinated, and have requested your Excellency to use friendly influence with the Sublime Porte on behalf of Servia that due satisfaction be granted to her, the Servian Government has been informed by our Minister at Constantinople that the Sublime Porte is not inclined to give Servia other satisfaction than simply to punish the malefactors.

Seeing that fresh evidence has reached the Servian Government, from which it could be concluded, almost with certainty, that the local authorities of Pristina instigated the fanatical Arnauts against M. Marinkovich, such an unexpected and unfriendly reply has produced a most painful impression in Belgrade, and the Servian Government has been compelled to give new instructions to our Representative at Constantinople, asking him to repeat Servia's demands to the Sublime Porte more categorically; but, in order to prove Servia's conciliatory spirit, and in the interest of the continuance of friendly relations with the Ottoman Empire, M. Novakovich has been advised to say that the Servian Government will be now willing to consider the honours shown to the dead body of M. Marinkovich, while it was conducted to the frontier to be transported to Servia, as moral satisfaction, and to ask that only a material compensation may be granted by the Porte to the family

of the late Vice-Consul, which is, through his premature and cruel death, deprived of almost every means of existence.

The Servian Government trusts that by this concession it will be seen that they have done all in their power to meet the Turkish Government half-way, and how much they have at heart to avoid everything that may strain the relations between the two States.

The investigation being now terminated and the Servian Government having altered their former demands as to satisfaction, I venture to ask your Excellency that Her Majesty's Government may use their influence in support of Servia's present demand.

Thanking you for your Excellency's note of the 22nd July, which I have duly communicated to General Gruitch, I have, &c.,
The Marquess of Salisbury. ALEX. Z. YOVITCHICH.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 4.)

(Telegraphic.)

Salonica, August 4, 1890.

THE statement published in the "Daily News" of the 29th July last, that a stoker was killed and three Mahommedan passengers were wounded by Arnauts on the line, is emphatically contradicted by the Manager of the Salonica-Uskup Railway. This gentleman states that a reputed relative of two Arnaut women, who had been run down and killed by an engine more than three months ago, fired on a train about a week after the accident, but fortunately injured no one. He also states that no such outrage has since been perpetrated on the line.

Vice-Consul Lamb to the Marquess of Salisbury.—(Received August 5.)

MY LORD,

Scutari, July 28, 1890.

IN reference to my preceding despatch of the 24th instant, I have the honour to report that, having made full inquiry in every quarter that is open to me, I have failed to obtain any information concerning the alleged massacre of Serb Rayahs in the Vilayet of Kossovo.

From the letters on this subject forwarded to your Lordship by Mr. Consul-General Blunt, it would appear that some difference of opinion existed at points much more closely connected than Scutari with the neighbourhood of the supposed occurrence as to the locality in which it had taken place, Mr. MacGowan gathering that the victims of the massacre were on their way into Servia, while Sir D. M. Wallace was informed that it had been perpetrated within sight of a Montenegrin frontier-guard. If the former were correct,

it would indeed be perfectly possible that the event should have occurred without any intelligence of it reaching this place, but in the latter case something would almost surely have transpired here by now. Moreover, if a party of emigrants proceeding from Ipek into Montenegro were attacked by Arnauts for the sake of their portable property, it is in the highest degree unlikely that the assault should have been postponed until they were on the point of crossing the border or that the Montenegrin guard which witnessed the attack should have been deterred by any feeling of respect for the sanctity of the frontier from firing a shot in their defence.

Whilst, however, the occurrence of any massacre on a large scale is denied, it is admitted on all sides that the whole of the country between Gussinjé and the frontier of Servia has been in a state of the greatest disorder and commotion. Frontier raids, armed encounters, and wayside murders have been of frequent occurrence, and the total number of lives sacrificed in this way during the past two months would no doubt be found to be far in excess of the score reported to Sir Mackenzie Wallace. At the time of the gathering of the clans at Gussinjé, to which I alluded in my last, it was asserted here on behalf of the Albanians that they had to exact vengeance for no less than twenty-three lives taken by the Montenegrins on the marches alone.

A certain amount of emigration from the Kossovo Vilayet in the Principality seems to have taken place, but I gather that the emigrants went thither for the purpose rather of soliciting pecuniary and other assistance than of establishing themselves in a territory which is notoriously incapable of supporting its own population. In effect, the Turks assert that many of these people returned to their homes equipped with rifles and ammunition furnished by the Montenegrins, and doubtless some of the encounters which subsequently took place might be traced to this source.

I have, &c.,

The Marquess of Salisbury.

HARRY H. LAMB.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 5.)

(Telegraphic.)

Salonica, August 5, 1890.

THE two Arnaut women referred to in my telegram of yesterday's date were killed by railway engine about ten months ago, instead of three. With this exception, the information I reported in above telegram is confirmed in a letter which I have received from the Manager of the Salonica-Mitrovitza Railway.

With regard to the other abominable excesses described in the "Daily News," I am not in a position at present to verify them.

The Austro-Hungarian Consul-General told me yesterday that he has reported to his Government that the statements in the "Daily News" with regard to the condition of the Vilayet of Cossova are grossly exaggerated.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 6.)

MY LORD,

Salonica, July 30, 1890.

I HAVE the honour to transmit herewith, for the information of your Lordship, a copy of my Report of this date to Her Majesty's Ambassador at Constantinople relative to the state of affairs in the district of Dibra.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure 1.)—Consul-General Blunt to Sir W. White.

SIR,

Salonica, July 30, 1890.

I HAVE the honour to inclose, for the information of your Excellency, a copy of a statement which I have received from a well-informed source relative to the state of affairs in the district of Dibra.

It appears that the provincial authorities of the Vilayet of Monastir are about to adopt some energetic measures against the turbulent inhabitants of this district.

The Ferik Fazli Pasha, Commander-in-chief of the 3rd Army Corps, has been ordered by the Porte to proceed to Dibra to personally direct any military operations which may be required. The garrison of the district, which consists at present of five battalions, is to be reinforced by two more battalions, one of which will be detached from the garrison of Monastir, and the other from that of Ipek. The latter was timed to arrive yesterday at Mitrovitza, where it was to be entrained for Uscup, and thence to march to Dibra.

The Liva Abdullah Pasha, who has been appointed Civil and Military Governor of Dibra, has been acting during the last three years as President of the Court-martial of Salonica. He is an energetic officer, and, by his impartial and humane administration of justice during his tenure of this office, has won the esteem and respect of all classes of the inhabitants.

I have, &c.,

Sir W. White.

J. E. BLUNT.

*(Inclosure 2.)—Statement respecting the State of Affairs in the
District of Dibra.*

(Extract.)

ONE month ago, the Albanian Abdullah Pasha, ex-Aide-de-camp of Sultan Aziz, was sent to Dibra by the authorities at Constantinople, to raise a battalion of irregulars for the purpose of protecting the district against brigands. The inhabitants of Dibra would give him no troops, and told him to leave the town.

Subsequently, the Mutessarif of Dibra caused proclamation to be made to the inhabitants that no one should carry arms in the town. Some Albanians disobeyed this order, and were arrested by the police. On the 20th July, the news of their arrest having spread in the neighbourhood, 500 armed Albanians assembled, marched to Dibra, and sent two emissaries to demand the release of the prisoners, saying that, if the demand were not complied with, they would attack the town. The garrison, consisting of two battalions of Regulars, prepared to resist the threatened attack. At this moment a storm of rain burst over the district, and the 500 Albanians were cut off from Dibra by the swelling of the river, so that they were obliged to retire. They, however, left word with the Mutessarif that they would return with doubled forces if the prisoners were not released.

In consequence of these events, the Liva Abdullah Pasha, President of the Court-martial of Salonica, has been appointed Civil and Military Commander of Dibra, and has to-day left Salonica for his post. Fazli Pasha, Commander of the 3rd Army Corps, has been ordered to go from Monastir to Dibra with two battalions, which will raise the force in that district to seven battalions of Regulars.

Salonica, July 29, 1890.

Sir W. White to the Marquess of Salisbury.—(Received August 6.)

(Telegraphic.)

Therapia, August 6, 1890.

THE EXARCH received last night the two Berats for the Bulgarian Bishops. It is said that Bishop Theodosius leaves to-day for Uscup.

Mr. O'Connor to the Marquess of Salisbury.—(Received August 8.)

MY LORD,

Sophia, July 24, 1890.

AN article in the semi-official newspaper "Syvobodá" welcomes the news of the concession of Berats to the Bulgarian Bishops in

Macedonia as a step towards establishing a sincere friendship between Turks and Bulgarians in the Balkan Peninsula, and after commenting in very moderate and sensible language on the importance of the decision taken by the Sublime Porte, it says that Bulgaria will have an interest in upholding, as far as their strength permits, the existence of Turkey as they would their own, and that it remains for the Macedonian Bulgarians to show themselves worthy of the Sultan's favour by redoubling their feelings of devotion to a Sovereign who has shown himself so gracious and just to them.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Sir W. White to the Marquess of Salisbury.—(Received August 8.)

MY LORD,

Therapia, July 30, 1890.

DURING my absence on leave the question of Berats for two Bulgarian Bishops came very much to the front, and reached almost its solution.

During its progress Mr. Fane kept your Lordship informed, with immense labour, of all the details, and you will be glad to hear that Baron de Calice and M. de Radowitz have both expressed to me their obligations to Her Majesty's Chargé d'Affaires for the way in which he had always consulted with their Excellencies and acted in concert with them on this important question.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

Sir W. White to the Marquess of Salisbury.—(Received August 8.)

(Extract.)

Therapia, August 2, 1890.

DURING my absence your Lordship has received from Mr. Fane ample details as to the various phases of the Berats of the Bulgarian Bishops in Macedonia, and there is nothing new which I could add on the subject.

The Sultan's Iradé sanctioning the issue of these two Berats by the Ministers was delivered at the Porte on Saturday, the 26th ultimo, and the delay in filling up these two important documents is, I am assured, only due to the four successive days of the Kourban Bairam festival in the first instance, and, secondly, to the long time that the Bulgarian Exarch has taken in presenting his application for them to the Minister of Justice in the proper form, with the names of the prelates his Beatitude has selected for filling up the Metropolitan Sees of Uscup and Ochrida.

In the Eastern churches all Episcopal Sees are now called Metropolitan.

The Archbishop Theodosius is to go back to Uscup, where he had been on a temporary mission some months ago, and the one from Adrianople is to be transferred to Ochrida.

The discontent amongst the Greeks appears to be very great, and up to the last moment they entertained hopes that their active support by the Russian Embassy would prevent the Sultan from allowing the Grand Vizier to carry out this measure so obnoxious to their national pretensions, or would at least persuade His Imperial Majesty to render it useless and unacceptable to the Bulgarians by attaching to it conditions which they could not possibly accept; these conditions being nothing less than that the Khalif should declare the Bulgarians to be schismatics from the Orthodox Church, and compel their priesthood to wear a badge to distinguish them from the Orthodox clergy.

The Marquess of Salisbury.

W. A. WHITE.

Mr. O'Conor to the Marquess of Salisbury.—(Received August 8.)

MY LORD,

Sophia, August 2, 1890.

I HAVE the honour to report that, upon the demand of the Russian subject Kalobkoff, who was condemned to penal servitude for participation in the Panitza conspiracy, the German Representative presented yesterday, at the request of the Russian Government, a demand for his extradition in conformity with the Capitulations, and that Baron von Wangenheim also asked for copies of the entire evidence brought forward during the trial, or included in the "dossier" which was submitted to the Court.

The Bulgarian Government has not given any answer to the note of the German Representative, but he has been assured verbally that the matter will receive full consideration without loss of time.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

The Marquess of Salisbury to M. Yovitchich.

M. LE CHARGÉ D'AFFAIRES,

Foreign Office, August 8, 1890.

I HAVE the honour to acknowledge the receipt of your note of the 1st instant, in which you express the hope of your Government that Her Majesty's Government will support the modified demand for satisfaction which the Servian Representative at Constantinople

has been instructed to make in connection with the recent murder of the Servian Vice-Consul at Pristina.

In reply, I have to state that Her Majesty's Government have not received any information tending to show that the murder was instigated by the local authorities, or was due to other than private motives.

They cannot, therefore, support a demand on the Porte for compensation which under similar circumstances they would not be prepared to grant themselves.

I have, &c.,

M. Yovitchich.

SALISBURY.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 11.)

MY LORD,

Salonica, August 5, 1890.

WITH reference to my telegram to your Lordship of yesterday's date, I have the honour to inclose a copy of a note which I have received this afternoon from M. Horhgrassl, the Chief Engineer and Acting Manager of the Salonica-Mitrovitzza Railway, from which it appears that the accident in which the two women were killed occurred so far back as the 21st September, 1889, or about ten and a-half months ago, and not three months ago, as stated in my telegram.

With regard to other excesses described by the correspondent, I am not in a position at present to verify them. The Manager of the railway is of opinion that the correspondent has been misled, and that the stories he has related were engendered by political animosities. Count Viscovitch, the Austrian Consul-General, who is well informed as to occurrences in the district of Uscup, where there is an Austrian Consul, says that these stories are characterized by gross exaggeration, and has reported in the above sense to his Government.

I need not send a copy of the *procès-verbal* referred to in the Manager's note, as it merely consists of the evidence of the railway officials who were in the train when the accident occurred.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—M. Horhgrassl to Consul-General Blunt.

CHEZ MR. BLUNT,

Salonique, [No date].

CI-INCLUS le *procès-verbal* concernant l'écrasement de deux femmes Turques le 21 Septembre, 1889, près de Kacianik. Un parent de ces femmes a tiré un coup de fusil vers la machine du train le 1^{er} Novembre, 1889, par lequel l'habit du chauffeur de

la machine a été troué, mais personne n'a été blessé. Cet accident n'a pas eu des autres suites jusqu'à présent.

Ce procès-verbal faisant partie de l'archive d'inspection de l'exploitation, j'ai l'honneur de vous prier de vouloir me le renvoyer après en avoir pris connaissance.

Ci-inclus aussi la carte de visite du correspondant du "Daily News."

D'après une dépêche que je viens de recevoir sur ma demande de la station d'Uscup, ce monsieur a fait une seule excursion d'Uscup sur notre chemin de fer jusqu'à Verisovitch ; donc il n'était pas du tout à Pristina.

Veuillez, &c.,

J. E. Blunt, Esq.

HORHGRASSL.

Mr. Gosling to the Marquess of Salisbury.—(Received August 11.)

MY LORD,

St. Petersburg, August 7, 1890.

I HAVE the honour to transmit herewith an article from the "Journal de Saint-Petersbourg" of to-day, which has reference to the recent grant by the Sultan of Berats to the Macedonian Bishops.

Your Lordship will see that it is expressly denied that any note of protest has been addressed by the Russian Government to the Porte, on the ground that it is not a matter in which the honour of Russia is in any way concerned, but that the Sublime Porte is blamed for not having sufficiently taken into consideration the complications which may ensue in a question where the conflicting interests of different nationalities are so much at stake.

The journal further adds that the Porte might have shown less anxiety to yield to the demands of M. Stamboloff, inasmuch as they were not actuated by the desire to render any service to the Church, but were merely pressed for political purposes.

I have, &c.,

The Marquess of Salisbury.

AUDLEY GOSLING.

(Inclosure.)—Extract from the "Journal de Saint-Petersbourg" of

July 26
August 7, 1890.

Nous voyons par les journaux de Grèce qu'on y a ressenti comme une vive atteinte portée à la dignité du pays et de l'Église les Bérats par lesquelles le Sultan a autorisé l'envoi de trois Évêques Bulgares en Macédoine. Le même sentiment se manifeste en Serbie. On a aussi parlé à cette occasion d'une note Russe, voire même d'une protestation. Il n'y avait pas lieu pour la Russie de faire une pareille démarche, sa dignité n'étant engagée d'aucune façon. Dans les contrées dont il s'agit la différence des nationalités fait

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surgir des difficultés d'application qui peuvent créer de véritables complications, et sur lesquelles il fallait appeler l'attention de la Sublime Porte. Celle-ci semble avoir passé outre, ne se rendant peut-être pas suffisamment compte des conséquences que sa décision pourrait entraîner.

La Porte, en tout cas, aurait pu se montrer moins pressée d'accéder aux désirs de M. Stamboloff, lesquels certainement ne procèdent pas du besoin de rendre service à l'Église; ils émanent de préoccupations politiques d'un ordre bien moins respectable, et auxquelles, ce semble, la Porte avait moins que tout autre un intérêt à prêter son concours. Ce sont là des observations qui s'imposent, et le Représentant de la Russie à Constantinople a dû s'en faire l'interprète. Mais aucune note n'a été présentée.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, August 15.)

SIR,

Salonica, August 9, 1890.

I HAVE the honour to transmit herewith copies of two Reports from Mr. Vice-Consul Shipley respecting the disturbed state of affairs in the district of Dibra.

Boné Vélé Gheorghieff, who has been condemned by the court-martial of Monastir to ten years' imprisonment, was employed in fomenting disturbances in Upper Albania by the Russian Kalubkoff, of Sophia, who was implicated in the Panitza conspiracy.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—Vice-Consul Shipley to Consul-General Blunt.

SIR,

Monastir, July 26, 1890.

WITH reference to the extract from the Salonica "Pharos of Macedonia" of the 17th ultimo, forwarded to me in your despatch of the 1st instant, I have the honour to report to you that nothing here is known of any rising on the part of the population such as is referred to in the "Pharos," and of which the chief is alleged to have been a certain Gheorghieff, formerly of the Bulgarian army. The following extract, however, a translation of which I have the honour to inclose, from the "Monastir," the official Gazette of the vilayet, of the 22nd instant, containing the announcement of the final condemnation by the central authority at Constantinople of Boné Vélé Gheorghieff, of Sophia, and his associates, arrested in the early part of last year at Dibra on the charge of being engaged in a seditious movement in that district, may perhaps serve to

explain the mistake into which the editor of the "Pharos" has apparently been led.

With regard to Gheorghieff's proceedings whilst in the Malissia of Dibra itself, nothing further has transpired beyond what was elicited at the time of his arrest last year. By all those who are acquainted with that district his attempt is still looked upon as an ill-advised one, and he himself, it is considered, is fortunate to have escaped with his life. The fact, however, that he should have succeeded in putting himself in direct communication with Mussulman mountaineers of Dibra is in itself noteworthy, and acquires additional interest at the present moment owing to the very disquieting reports which have lately reached here as to the disturbed condition of that district.

Between these reports and Gheorghieff's visit to Dibra of last year there is, I believe, no connection whatever; the coincidence, nevertheless, supplies one more to the many arguments which have been put forward as to the imperative necessity on the part of the Porte to make good its authority over the mountain tribes of North and North-east Albania, for there can be little doubt that the attempt made by Gheorghieff will continue to be repeated by others so long as the chief, if not the only, obstacle to success is in the loyalty of the Albanians themselves.

I have, &c.,

J. E. Blunt, Esq.

H. S. SHIPLEY.

(Inclosure 2.)—*Extract from the "Monastir Gazette" of July 22, 1890.*

(Translation.)

JUDICIAL SENTENCE.—A communication has been received from the Ministry of the Interior and Ministry of War, Constantinople, to the effect that the four undermentioned individuals, viz., Boné Vélé Gheorghieff, a native of Sophia, and Isaak Radé, Malik-ben-Zenil, and Taleb Kara-ben-Bairam, Ottoman subjects of the villages of Lazaropolyé, Kovatchitch, and Poltchitzé, in the Dibra Sandjak, respectively, have, by Imperial Decree, been condemned to the following terms of detention in a fortress, viz., Boné Vélé Gheorghieff, to ten years in the fortress of Acre; Isaak, the Bulgarian, to six years at Piassa; and Malik to four years at Rhodes. With regard to Taleb Kara, the period of imprisonment he has already undergone is considered sufficient, and he is, therefore, liberated under guarantee.

The above individuals were arrested in the January of last year on the charge of fomenting sedition in the Malissia of Dibra. The matter was investigated at the time by the Dibra and Monastir

Military Tribunals, and a Report of the proceedings, which resulted in the conviction of the accused, was forwarded to Constantinople.

Steps are being taken to give effect to the sentences in question.

(Inclosure 3.)—*Vicè-Consul Shipley to Consul-General Blunt.*

SIR,

Monastir, August 2, 1890.

I HAVE the honour to report to you that his Excellency Fazli Pasha, General commanding the troops in the Monastir Vilayet, left this on Thursday last for Dibra, accompanied by two battalions of infantry and a small battery of mountain artillery.

Accounts have been reaching Monastir for some time past as to the unsettled state of the above district, and it was, I understand, owing to the discontent prevailing among Dibriotes generally that Omer Pasha, the Mutessarif, was recently removed. His place was taken temporarily by Colonel Hussein Bey, the Chief of Police of Monastir, and it was further decided to intrust a certain Abdullah Pasha, of Dibra origin, with the duty of forming a body of volunteers to act as local police in the district of Lower Dibra.

The above measures, however, far from restoring order, seem to have had the contrary effect, for it is admitted by the authorities themselves that about a fortnight ago the mountaineers had obtained possession of one of the two passes commanding the principal approaches to Dibra, and there is little doubt that Fazli Pasha's hurried departure was due to an urgent representation on the part of Hussein Bey, to the effect that the mountaineers of Upper Dibra had assembled also, and were threatening his communication with Monastir by seizing the one remaining pass still open.

The situation is, therefore, not altogether without danger; it is, however, not generally believed that any conflict will take place between the mountaineers and the Imperial forces.

Fazli Pasha's mission is understood to have been undertaken rather with the view of coming to terms with the disaffected tribes than for the purpose of bringing them permanently under the authority of the Sultan. Indeed, were it otherwise, the position of Fazli Pasha himself would be likely to become critical, as, even with the troops above referred to, he has only seven battalions, or some 3,500 men, at his disposal, a force entirely inadequate for the purpose of undertaking serious operations.

I may perhaps be allowed to add that as I propose to visit in the course of a few days Ochrida and Struga, the latter of which places is in constant communication with Dibra, I have purposely deferred reporting at length upon the recent occurrences in that district

until my return, when I hope to be in possession of full information as to what is passing. I have, &c.,

J. E. Blunt, Esq.

H. S. SHIPLEY.

Mr. Haggard to the Marquess of Salisbury.—(Received August 18.)

MY LORD,

Athens, August 11, 1890.

THE announcement of the issue of the Berats to the Bulgarian Bishopricks in Macedonia has caused a certain amount of excitement here; the newspapers use rather inflammatory language, and yesterday (Sunday) prayers were offered up in one of the churches on behalf of the struggle undertaken for the Greek Church by the Patriarch of Constantinople, and were followed by an impassioned political harangue by one of the deacons.

Other public meetings have been held, and on the 14th a monster meeting is announced to be held on the open space in front of the Exhibition.

So far the Government has discouraged the agitation, and it is supposed to be possible that the all-absorbing question of the now imminent elections may shortly distract public attention from the subject.

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 21.)

MY LORD,

Salonica, August 15, 1890.

WITH reference to my despatch of the 5th instant, I have the honour to transmit herewith translated extracts from the *Salonica and Cossova "Gazettes,"* refuting the statements published in the "Daily News" of the 29th ultimo, with regard to an outrage alleged to have been perpetrated by Arnauts on the *Salonica-Mitrovitza Railway.*

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure 1.)—Extract from the "Salonica Gazette" of August 11, 1890.

(Translation.)

THE English newspaper the "Daily News" of the 29th July, 1890, publishes, under the heading "Outrages in Macedonia," a communication from its special correspondent.

The correspondent's statements are so wild, and so remote from the truth, that it is impossible not to wonder at an important newspaper like the "Daily News" admitting them into its columns.

According to his story, an Arnaut woman was killed by an engine on the line, and, in revenge for this, about seventy Arnauts posted themselves on a rock near the tunnel of Demir Kapu, fired on the train in which the correspondent was travelling, killed the stoker, and wounded three Mussulman passengers.

There is no foundation for this story. The railway line has never been the scene of any such occurrence. Order and security have always been maintained along it by the Government of His Majesty the Sultan.

The correspondent thinks fit to publish to the world his malicious inventions as facts which he himself has witnessed. We have no doubt that the flame of falsehood which he has kindled will quickly be extinguished.

(Inclosure 2.)—Extract from the "*Coesova Gazette*" of August 6, 1890.

(Translation.)

A CORRESPONDENT of the "Daily News" states, in a letter to his paper, that a train on the Salonica Railway in which he was travelling was fired at by seventy or eighty Arnauts, near the station Zelnikova, in the neighbourhood of Üscup; that one of the engineers was killed and three Mussulman passengers were wounded.

That such an outrage should have been committed on the Salonica-Üscup Railway, that the safety of travellers to the frontier States should have been thus endangered under the firm and orderly government of His Majesty the Sultan, was thoroughly incredible. The whole story, like others of this correspondent, is a malicious fabrication, and is denied *in toto*.

Mr. O'Connor to the Marquess of Salisbury.—(Received August 22.)

(Extract.)

Sophia, August 12, 1890.

I HAVE the honour to report to your Lordship that M. Stamboloff returned to Sophia yesterday, and called upon me in the evening to express to your Lordship his sincere thanks for the assistance which Her Majesty's Government had so efficaciously given, in concert with other Great Powers, in the matter of the Berats for the Bulgarian Bishops in Macedonia.

M Stamboloff said that the satisfactory settlement of this question had not only greatly strengthened his position and that of the present régime, but that it had brought home to the Bulgarians the advantages of a friendly policy towards the Suzerain Power. It was certain that it would tend to develop still further throughout the country a feeling of autonomy and independence. Owing to its

favourable impression, he had succeeded in coming to an amicable understanding with the Holy Synod.

The Marquess of Salisbury.

N. B. O'CONOR.

Consul Cumberbatch to Sir W. White.—(Received at the Foreign Office, August 22.)

(Extract.)

Adrianople, August 14, 1890.

I HAVE the honour to inform your Excellency that Mgr. Cynesius, Bulgarian Bishop of Ochrida, has left Adrianople to take up the duties of his new diocese, in accordance with the recent Berat delivered by the Porte.

Sir W. White.

H. A. CUMBERBATCH.

Consul-General Blunt to the Marquess of Salisbury.—(Received August 23.)

MY LORD,

Salonica, August 18, 1890.

WITH reference to my despatches of the 5th and 15th instant, I have the honour to transmit herewith translation of a letter which I have received from a reliable quarter at Pristina relative to the outrages alleged to have been perpetrated by Arnauts against the Servian school in that town (*vide* "Daily News" of the 29th July, 1890).

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—Mr. ——— to Consul-General Blunt.

(Translation.)

SIR,

Pristina, August 13, 1890.

IN answer to your inquiries respecting the affair at the Servian school in this town, I hasten to inform you that it is not true that Arnauts attacked it, or in any way molested its teachers. What really happened is this: Police agents of the Local Government were sent by the Governor of Pristina to overhaul the library of the school, and finding a book containing chapters against the Turkish Government, they arrested two masters and the mistress of the school, whom they sent to the Vali at Uscup. One of the masters has been imprisoned at Uscup: the other master and the mistress are still detained there pending further inquiry into the case, in connection with which two members of the Christian community have been summoned from here to Uscup.

I am, &c.,

J. E. Blunt, Esq.

Mr. Haggard to the Marquess of Salisbury.—(Received August 26.)

MY LORD,

Athens, August 19, 1890.

DURING the last few days the agitation with reference to the granting of the Berats to the Bulgarian Bishops in Macedonia has appeared to be on the increase. It is difficult as yet to make out whether this is in consequence of any real feeling on the subject among the people, or to the manœuvres of agitators ready to seize any opportunity of throwing a stone on Turkey, or of those politicians wishing to take advantage of the incident as a means of attacking the Government. Possibly all these motives may have something to do with the outcry, which is certainly, for the moment at all events, on the increase.

The meeting announced for last Sunday, of which I had the honour to inform your Lordship in my despatch of the 11th instant, went off quietly. It was fairly well attended; the speakers were of course violent; but, after a series of Resolutions, of which I have the honour to inclose a translation, had been passed by acclamation, the crowd dispersed in an orderly manner. This meeting had been rather discouraged than otherwise by the Government; but, although the Opposition papers indulge in daily invectives against M. Tricoupi for his inactivity "when the interests of Hellenism are threatened," the meeting did not record any expression of this feeling, contenting itself, as your Lordship will observe, with a protest against the action of the Porte, a declaration of approbation of the attitude of the Œcumenical Patriarch, and an assurance to the Greek Government of their devotion to the interests of the Church and the cause of Hellenism.

The "Palingenesia," which, as I had the honour of informing your Lordship, is in distinct relations with M. Tricoupi, in its issue of this morning states that the Government is deeply affected by the Cretan and Macedonian questions; but as it wishes its action to be effective, it postpones it till the naval forces of the country are on a capable footing.

This agrees with the remarks made to me yesterday by M. Tricoupi, and on previous occasions. His Excellency said that Greece was not in a position for the moment to do anything but protest; but that she would bide her time, and take advantage of the first opportunity of herself getting compensation for the injury done to her interests. As I have before ineffectually asked what form this indemnification would take, I did not repeat the question, but contented myself with asking his Excellency what constituted the past injury to Greece in the action of the Porte. He replied that it was a blow at the ecclesiastical supremacy of the Patriarch, and, consequently, at the interests of the Greek Church; but, I pointed out,

the Bulgarian Church had been excommunicated by that authority, who had thereby cast them off, and could no longer pretend to any authority over or interest in them; how, therefore, could anything they did affect the interests of Orthodoxy? His Excellency said that the Bulgarian priests still continued to wear the same dress as Greek priests. Let them change the dress, and nothing more would be said.

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD.

(Inclosure.)—Resolutions passed at a Public Meeting held on the Place des Colonnes on Sunday, August 17, 1890.

(Translation.)

WE, the people of Athens and the Piræus, and all our brethren of Greece assembled to-day at a national meeting on the Place des Colonnes;

Appreciating the dangers which are being run by the Chamber and the nation;

Protest before Christendom and the civilized world against the violation of the privileges of the Œcumenical Patriarch, and the threatened attack on the rights of Hellenism in Macedonia, as well as against the outrages committed wherever Greeks are under servitude.

We approve the firm attitude of the Œcumenical Patriarch, Dionisius V, and of the bodies who co-operate with him, towards the Sublime Porte, and we are convinced that they will steadfastly persist to the last in their struggle on behalf of the Orthodox Church.

We assure the Greek Government that Hellenism is ready to make any sacrifice to protect and secure the privileges of the Church and the rights of Hellenism.

We request the Committee to present this Resolution to the King and the President of the Council, and to publish it in the Greek and foreign press.

Mr. O'Connor to the Marquess of Salisbury.—(Received August 30.)

MY LORD,

Sophia, August 24, 1890.

WITH reference to my despatch of the 2nd instant, I have the honour to report that the Bulgarian Government have replied to the demand of the Russian Government made through the German Representative at Sophia, that they consent to deliver up the Russian subject, Porfiri Kalobkoff, condemned for complicity in the Panitza plot to nine years' imprisonment: this concession is

made, the note adds, not in virtue of the Capitulations, which do not entitle the Russian Government to make this demand, but simply out of deference to the German Government and its respected Representative at Sophia. Finally, the hope is expressed that the sentence passed on the prisoner will be duly carried out.

Baron von Wangenheim informs me that the prison authorities lost no time in informing him that they hold Kalobkoff at his disposal, and that he intends to send him by to-morrow's train in charge of one of his cavasses to the Turkish frontier, where he will be taken over by an official of the Russian Embassy and conducted to Constantinople.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONNOR.

Vice-Consul Lamb to Sir W. White.—(Received at the Foreign Office, September 5.)

SIR,

Scutari, August 20, 1890.

I HAVE the honour to inclose herewith a translation of a paragraph in the official "Glas Tzernagortza" of last Saturday, giving an account of a conflict which took place on the Montenegrin frontier on the 5th of this month. Only the vaguest rumour of this affair had reached Scutari, but the fact that Tahir Pasha found it necessary to proceed to Plava at the head of a military force seems to prove the gravity of the situation; for less than a fortnight previously Tahir Pasha had returned to his head-quarters at Barana, after having, as he believed, taken ample measures for the maintenance of order in the Gussiujé-Plava district.

True to its invariable custom of recording only those frontier excesses in which the Albanians were apparently the aggressors, the Cetinje Gazette omits all mention of another conflict which took place between the frontier clans of Kutchi and Klementi only two days before the date above given, and which resulted in the loss of at least a dozen lives.

In this instance two Klementi, who had crossed the border in pursuit of some straying cattle, were attacked by a number of Montenegrins and eventually killed, after defending themselves for some time from a hillock on which they had taken refuge. Their fellow-clansmen, attracted by the firing, continued the engagement until nightfall, killing, it is said, seven Montenegrins, and losing three more of their own number.

The Prince is said to have caused the arrest of the persons most responsible for the commencement of this affair, while the Turks, on their side, dispatched an officer to the Klementi to endeavour to restrain them from attempting further reprisals. Both Govern-

ments, indeed, seem sincere in their efforts to preserve peace on the frontier, and as, in less than a month from now, the mountaineers will begin to withdraw from their advanced summer quarters on the border, it may be hoped that they will be successful in preventing any more serious outbreaks.

I have, &c.,

Sir W. White.

HARRY H. LAMB.

(*Inclosure.*)—*Extract from the Official Gazette of Montenegro of August 16, 1890.*

(Translation.)

CONFLICT ON THE BORDER.—Although both the Montenegrin and the Ottoman Governments are doing everything to maintain peace on their frontiers, yet the control of the local authorities over the Albanians does not seem to be sufficiently strict. Thus, on the Tuesday of last week, a band of mountaineers crossed our frontier in the direction of Andrievitza, "with a design of killing a Montenegrin."

Our frontier guard perceived them and gave the alarm, and our borderers hastened to meet and encounter the aggressors. In the fight which ensued one Montenegrin and five Albanians were killed. The Ottoman Commissioner, Tahir Pasha, has left Berana for Plava and Gussinje with troops to punish the culprits and establish order, and our authorities have likewise taken measures to avoid all conflicts with the Albanians and to punish offenders.

Consul-General Blunt to the Marquess of Salisbury.—(*Received September 5.*)

MY LORD,

Salonica, August 30, 1890.

WITH further reference to my despatches of the 5th and 15th instant, I have the honour to transmit herewith a copy of the reply which the "Secrétaire-Général de la Compagnie des Chemins de Fer Orientaux" has received from the editor of the "Daily News" to his letter contradicting the statements of the correspondent of that newspaper relative to the outrages alleged to have been committed by Arnauts on the Salonica-Mitrovitza Railway.

The "Daily News," as your Lordship will observe, has dispensed with the services of the correspondent in question.

I am, however, informed that the effect of the inaccurate and sensational reports on the state of affairs in Upper Macedonia, as published in the above-named newspaper, has been to move the provincial authorities to take some measures of police surveillance against newspaper correspondents in general, and to excite the sensitive and vindictive feelings of the Arnaut Chiefs of Prisrend,

Pristina, and Uscup. This state of things may expose correspondents visiting the interior to much inconvenience and some personal danger.

Be this as it may, it having been rumoured at Uscup that the author of the letters from Pristina which were recently published in the "Daily News" had derived some of his information from the Austro-Hungarian Consul at that place, M. Schmuker, a letter of this Consul appeared in last week's issue of the "Cossova Gazette" declaring that he had furnished no such information, and that the reports forwarded to the "Daily News" by the correspondent referred to are without any foundation in fact. Inclosure No. 2 is a translated copy of the Consul's letter.

As another instance of the mischief caused by the publication of these sensational reports, I may mention the fact that a firm of English merchants which was treating for the purchase of a mine in the interior has been discouraged by the alleged alarming condition of the country from investing any capital in such an enterprise.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure 1.)—The Editor of the "Daily News" to the Secretary of the Oriental Railways.

MONSIEUR,

Londres, le 15 Août, 1890.

J'AI l'honneur de vous accuser réception de votre lettre du 14 courant.

En réponse, je viens vous informer qu'un démenti formel du récit dont il est question a paru au "Daily News," sous forme d'une explication faite à la Chambre des Communes par M. le Sous-Secrétaire des Affaires Étrangères, Sir James Fergusson, laquelle a été publiée en détail dans notre journal.

Par le même courrier je vous envoie un numéro contenant le compte-rendu.

J'ajouterai que le correspondant qui nous avait envoyé le récit ne fait plus partie de la rédaction du "Daily News," en aucune capacité.

Je vous prie, Monsieur, de croire que je regrette vivement que vous ayez eu la peine de faire votre réclamation.

Agréé, &c..

Le Directeur-Gérant du "Daily News."

(Inclosure 2.)—*Extract from the "Cossova Gazette" of August 20, 1890.*

DÉMENTI.

(Traduction.)

Le "Daily News" de Londres a dernièrement publié un article où il dit que le Vilayet de Cossova est le théâtre de toutes espèces de sauvagerie, en ajoutant que le correspondant de la dite feuille se fait fort de corroborer son récit du témoignage d'un Consul étranger.

Je prie votre honorable journal de publier que je n'ai fourni aucun renseignement au sujet de l'affaire en question, que je ne suis pas le Consul mentionné par le susdit correspondant, et que les incidents décrits par lui sont sans fondement.

SCHMUKER, *Consul Austro-Hongrois à Uscup.*

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, September 5.)

SIR, Salonica, August 30, 1890.

THE "Neue Freie Presse" of the 26th instant contains a paragraph, of which the following is a translation :—

"The 'Odjek' newspaper, published in Belgrade, states that the arrival at Salonica of the Bulgarian Bishop Theodosius of Uscup gave rise to disturbances on the part of the Servians, Macedonians, and Greeks, and that the Bishop had in consequence to remain some time on board the steamer, from which he finally landed secretly and continued in disguise his journey to Uscup, and that the military force had to be called out to disperse the mob."

The above statements are absolutely devoid of truth.

The presence at Salonica of the Bulgarian Bishop of Uscup and of his colleague of Ochrida has not given rise to the least disturbance on the part of the local communities, and, as I had the honour to report to your Excellency in my telegrams of the 12th and 19th instant, these Prelates, during their stay at Salonica, met with all proper marks of attention and assistance from the Turkish authorities.

I may add that I have since heard from well-informed sources that both Bishops have been everywhere received by the Bulgarians in Macedonia with popular enthusiasm and demonstrations of joy, and that, so far, their presence in this province has not caused any disturbance of the public peace.

I have, &c.,

Sir W. White.

J. E. BLUNT.

Vice-Consul Richards to Mr. O'Connor.—(Received at the Foreign Office, September 19.)

SIR,

Bourgas, September 8, 1890.

I HAVE the honour to report that the elections for the Sobranjé were held in this Department on the 7th instant, and resulted in the return of the Government candidates throughout the Department, most of them indeed having represented the same constituencies in the last Sobranjé. Among the successful candidates, a list of whose names is appended on a separate sheet, the only persons of note are Dr. Stransky, the ex-Minister for Foreign Affairs, and M. Slarcoff, ex-President of the Sobranjé, the former having been elected to represent the Canton of Bourgas, and the latter that of Anchialo.

As regards the elections held in this town, I can vouch for the fact that, with the exception of one or two arrests of young men who were apparently bent on creating a disturbance, everything was carried on in a quiet and methodical fashion. There was perhaps a greater show of enthusiasm than is usually the case on these occasions; one large band of men forming a procession paraded at its head a banner, on which were inscribed the initials of the three Government candidates, while another, over 300 strong, the Sozopolis contingent, marched about the town for some time to the inspiring strains of the local band. These demonstrations, however, almost entirely ceased towards midday, from which time until 5 P.M., when the result of the poll was declared, things were very much quieter, the fact being that most of the votes were registered in the morning, as is generally the case. The Prefect informs me that there were no disturbances in any part of the Department. As regards this canton, besides the votes given to the three successful candidates, M. Dimitroff, ex-Secretary to the Prefecture, and actually President of the Administrative Council of the Department, received 86 votes, M. Voulco-Stancheff, ex-Mayor, 60 votes, and a M. Stratieff, 70 votes, while a few votes here and there were given to other persons.

As regards the number of votes given, it would appear that a third only of the registered electors of this canton exercised their privilege on this occasion, the fact being, according to the Prefect, that the vast majority of the peasants of the neighbouring villages abstained from voting. This, I believe, is usually the case to some extent, the villagers being apparently extremely averse to going even comparatively short distances for the purpose of voting. In the other cantons an even smaller proportion of the number of electors registered their votes. This indifference on the subject of

the suffrage, which is extremely regrettable, may to some extent be accounted for by the fact that the weather during the greater part of the day was extremely inclement, and the roads, considering the season of the year, were unusually muddy.

In conclusion, I would wish to state that it is very commonly reported in the town that the electors were subjected to a very considerable amount of moral if not actually physical suasion, in order to coerce them into giving their votes for the Government candidates. On this point I am convinced that there exists a great deal of ill-natured exaggeration. That the elections were perfectly free, as we understand the term in Europe, I will not go so far as to say, for there was no doubt, on the part of the local authorities, a certain amount of dictation to individuals, as indeed to whole communities, as to the advisability of voting for the Ministerial candidates; but when it is asserted that intending voters were obliged to show their ballot papers to the gendarmes stationed at the door of the Mairie, and that only those who were in favour of the Government candidates were permitted to vote, I must enter a protest to the effect that this, so far as I have been able to ascertain, was not the case; that there should have been even dictation on this subject on the part of the authorities is a fact much to be regretted, because I firmly believe that in any case the Government candidates would have been elected, though probably by smaller majorities. Such a fact undoubtedly supplies a tremendous handle to the opponents and ill-wishers of the Government, of which they avail themselves with avidity for the purpose of general and indiscriminate vituperation.

M. Stamboloff's policy has of late been so successful, and his popularity has in consequence increased so rapidly that I cannot but think that in any case his nominees were sure of their election.

I have, &c.,

N. B. O'Connor, Esq.

W. S. RICHARDS.

*Consul-General Blunt to the Marquess of Salisbury.—(Received
September 19.)*

MY LORD,

Salonica, September 10, 1890

I AVAILED myself of the opportunity of Mr. Assistant Monahan returning here after his leave of absence to instruct him to remain two or three days on his way back at Uscup, and make inquiries about the atrocities alleged by the "Daily News" to have been perpetrated by Arnauts in the Vilayet of Cossova. I have now the honour to inclose his Report to me on the result of his inquiries.

I have conveyed to Mr. Monahan my approval of the manner in which he has conducted his inquiries.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(*Inclosure.*)—*Mr. Monahan to Consul-General Blunt.*

SIR,

Salonica, September 9, 1880.

IN conformity with your instructions, at the close of my leave of absence, I stopped three days at Uscup for the purpose of inquiring into the truth of the atrocities which, according to the "Daily News" of the 29th July, and the 2nd, 4th, and 9th August, have been committed by Arnauts in the Vilayet of Cossova; and I have now the honour to report to you the following result of my inquiries:—

1. With regard to the alleged outrage on the Salonica-Mitrovitza Railway.

The Austrian Consul at Uscup and the railway officials there told me it was certain that Weitz, the "Daily News" correspondent, never went to Pristina, but made only the one excursion on the line from Uscup to Verisovitz and back. The correspondent states that he delivered a letter of introduction at Pristina to Edhem Pasha, who received him well and provided him with two cavasses. The Austrian Consul at Uscup told me that Edhem Pasha, whom he knew well, and of whose recent movements he was perfectly aware, was never in Pristina during the time of the correspondent's stay in Macedonia.

I need not more particularly refer to the alleged firing by Arnauts on the train near Katschanik, knowing that you have already fully dealt with this story.

2. As to the alleged outrage by Arnauts on the teachers in the Servian school at Pristina.

After careful inquiry, I obtained from a thoroughly authentic source the following account of the circumstances under which this school was closed.

According to the law, every person who wishes to teach in the vilayet must present to the Commission of Public Instruction in Uscup a certificate of character and competency from the Government under which he or she was born. The two male teachers (not three) and the mistress of the Servian school at Pristina had not presented such a certificate, and, consequently, had not the permission of the Government to teach. The male teachers and the mistress were summoned to Uscup, examined by the Commission, and found not to be proper persons to teach. Not only had the mistress taught without permission, but in her school there was

found a geography in manuscript which she confessed she had written herself, and in which there was a paragraph to the effect that Cossova, Pristina, &c., belonged to Servia. For these reasons it is not permitted to her to teach. Her name is Elena Mihailovikia, and she is a native of Servia. The teachers were not ill-used. The mistress was not violated. For want of teachers the school at Pristina was closed, but can be opened whenever proper teachers are found.

I heard nothing inconsistent with this account of the matter from any person of whom I made inquiries. The Servian Consul at Uscup, though declining to give me any further information, said I might state on his authority that the mistress was never violated. The correspondent says he obtained his information from a foreign Consul in Pristina. The only Consuls who could have given him the information are the Austrian, Greek, and Servian Consuls at Uscup. All three have denied that they ever told him anything like the story which he has published.

3. With regard to the alleged attack on the farm of Mitar Tijanac.

The Austrian and Greek Consuls at Uscup have never heard of this occurrence; neither has the Bulgarian Bishop, nor his Secretary, nor any of the railway officials. There is a regular train service between Uscup and Pristina, and if such a massacre had ever taken place it is impossible that the railway officials should never have heard of it. M. Baldus, the station-master at Uscup, told me that something of the sort occurred ten years ago, when corpses were to be seen lying in the fields near Pristina; and that probably the correspondent concocted his new story with the materials of this old one.

4. With regard to the case of Lazarovitch and his sons.

Except the Servian Consul, all those whom I asked about this matter gave me the same answer, that nothing had been heard in Uscup of the occurrence described by the correspondent. The Servian Consul would tell me nothing. The Austrian Consul told me that his Vice-Consul at Prisrend had communicated nothing, and therefore knew nothing of this outrage. The railway officials had heard nothing of it. The Greek Consul had heard nothing. M. Baldus, the station-master, told me that when the correspondent was in Uscup a story was started to the effect that the remains of an adult Bulgarian man who had been killed by an Arnaut were carried into Uscup, and thrown before the Vali in the manner described; that this was said to be the result of some private feud concerning a woman; that such is the only possible foundation for the correspondent's story, and that no authentic information on this matter was ever forthcoming. I heard nothing from any one that

would tend to confirm the story about the Bulgarian to which the station-master referred.

5. With regard to the correspondent's visit to the Uscup prison.

The Austrian Consul obtained permission from the Vali for Weitz to visit the prison as a correspondent. Weitz did visit it, and, after his visit, told the Consul, in the presence of M. Baldus, the station-master, that the prison was as good as a London prison, and spoke especially of its cleanliness and general good management and order.

A glance at Weitz's letter in the "Daily News" of the 2nd August, 1890, will show how wilfully he has departed from the truth in this case.

I may add that the Servian Consul not only was extremely reticent about the statements in the "Daily News," but also seemed inclined to give me a gloomy account of the general condition of the country. He, however, denounced Weitz in the strongest terms, and said that he himself was in office in Belgrade when that correspondent was expelled from Servia for publishing false news.

In the result the correspondent stands convicted of several gross and deliberate falsehoods, and I submit there can be no reasonable doubt that he concocted his stories for the purpose of creating an agitation. He has, I hear, been dismissed from the staff of the "Daily News."

I have, &c.,

J. E. Blunt, Esq.

J. H. MONAHAN.

Consul-General Blunt to the Marquess of Salisbury.—(Received September 19.)

MY LORD,

Salonica, September 12, 1890.

I HAVE the honour to transmit herewith a copy of Mr. Vice-Consul Shipley's despatch relative to the arrival at Monastir of the newly-appointed Metropolitan of Ochrida.

I beg leave to avail myself of this opportunity to also forward to your Lordship the inclosed account of the reception of the Bulgarian Metropolitan of Uscup at Velèse (Kiuprulu) and at Uscup, as well as a translation, as published in the "Eastern Express," of the Bishop's Berat, and of the pastoral letter which he has addressed to the Bulgarians in his diocese.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(*Inclosure.*)—*Vice-Consul Shipley to Consul-General Blunt.*

SIR,

Monastir, September 2, 1890.

I HAVE the honour to report to you that Mgr. Synesius, the newly-appointed Bulgarian Metropolitan of Ochrida, arrived in this town on Saturday, the 28rd ultimo, on his way to take up the duties of his See.

As will be seen from the inclosed extract from the "Monastir," the official Gazette of the vilayet, of the 27th ultimo, Mgr. Synesius, after presenting the Berat granted to him by the Sultan as Bulgarian Metropolitan to his Excellency Faik Pasha, the Governor-General of the vilayet, left almost immediately for Ochrida, making altogether a stay of about two days only at Monastir.

The reception, nevertheless, accorded to the new Archbishop by the Bulgarian part of the population left nothing to be desired in point of enthusiasm, a procession of about fifty carriages being formed outside the town by the various deputations of Notables, who, in addition to those of Monastir, had arrived to greet the Metropolitan from Krushevo and Perlépé, and some even from Ochrida itself. The scholars and children attending the Bulgarian schools were also drawn up to meet the Archbishop, and an escort of gendarmes under the command of a Major was provided by the authorities.

A noteworthy feature of the proceedings, and one which could not fail to have been exceedingly gratifying to Mgr. Synesius himself, was the marked friendliness of his reception at the hands of the Turkish authorities. This friendliness has been shown in many ways, one of which was the permission accorded to him by the Governor-General to hold services in the Bulgarian church at Monastir, to which technically he was not entitled. That the permission in question was not without a certain value is, I think, shown by the dissatisfaction to which it has given rise among certain of the members of the Orthodox Greek party, who have pointed out that the privileges of the new Metropolitan are confined to Ochrida alone, and do not extend to Monastir.

With regard to the ultimate effect which the appointment of Mgr. Synesius is likely to have upon the Bulgarian cause in Macedonia, it is impossible at present to speak with any certainty. One class of the population, nevertheless, viz., the poorer Bulgarian peasants who belong to the Exarchate, will be the immediate gainers by the new order of things. The latter, it is to be feared, have too often been made the victims of oppression for want of an intermediary between themselves and the authorities. This duty will, of course, devolve upon the newly-appointed Metropolitan, and I need scarcely point out the very great and real service he may be able to

render to the population should he succeed in gaining the confidence of the authorities.

As I have frequently ventured to point out, the development of the Bulgarian element in Macedonia is rather a question of time and good government than of political agitation, and I believe that it is within the power of the newly-appointed Metropolitan to insure at least a certain measure of good government, without having necessarily to rely upon external influence of any kind.

I have, &c.,

J. E. Blunt, Esq.

H. S. SHIPLEY.

Consul-General Blunt to the Marquess of Salisbury.—(Received September 19.)

MY LORD,

Salonica, September 12, 1890.

WITH reference to the recent murder of the Servian Acting Consul at Pristina, I have the honour to report that the last number of the "Cossova Gazette," dated the 10th September, states that Ibrahim, found guilty as principal in the murder, has been sentenced to death by the Criminal Court at Uscup, while Raif, Hamdi, and Seif-ud-din have been sentenced, as accessories, to penal servitude, but it is not mentioned for what periods.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

Sir W. White to the Marquess of Salisbury.—(Received September 19.)

(Extract.)

Therapia, September 13, 1890.

YOUR Lordship has been addressed by me and my predecessors on several occasions on the subject of the various privileges claimed *ab antiquo* by the Greek and Armenian Patriarchs in the Ottoman Empire.

These privileges consist, amongst others, in claiming exclusive jurisdiction, both civil and criminal, over all persons in Holy Orders, and in all matrimonial, divorce, and testamentary causes arising amongst persons belonging to their respective Churches.

Said Pasha, who was Prime Minister or Grand Vizier, with several short interruptions, from 1880 to 1885, had made it his object to rid Turkey of the Capitulations giving an exceptional position to foreigners residing in the Ottoman Empire, and also to abolish all exceptional ecclesiastical jurisdiction or privileged position.

In both these he was unsuccessful, and a serious conflict arose at

one moment with the Patriarchs, which is about, it is feared, to be revived again, and which excites greatly, not only the Armenian and Greek communities, but awakes warm sympathy in the Hellenic Kingdom.

Here I must observe a curious fact, that whenever I have had inquiries made unofficially at the Sublime Porte as to this question, I have been always told either that there had been no real interference by the Government with Patriarchal privileges, or if a misunderstanding was admitted by some high official, the matter of dispute was minimized so as to appear unimportant.

The original dispute which arose under Saïd Pasha's administration had been dropped or, at any rate, was in abeyance during several years, and one could, it appeared, reasonably entertain the hope that we should no longer hear of it, when a couple of years ago Jevdet Pasha, being Minister of Justice, and as such intrusted with all dealings of the Government with the affairs of non-Mussulman creeds, took it up again.

The Marquess of Salisbury.

W. A. WHITE.

Mr. O'Connor to the Marquess of Salisbury.—(Received September 19.)

MY LORD,

Sophia, September 15, 1890.

FROM the official Reports already published respecting the elections for the Sobranjé, held on the 7th instant, it would appear that there was very little opposition to the Government candidates, and that the system inaugurated by the new Electoral Law, by which the Electoral Bureaux are selected by the district Communal Councils instead of by the mass of the voters, has proved an effective arm in the hands of the Government, and seriously diminished the chances of the Opposition, unless they happen to be supported by popular feeling strong enough to turn the Communal elections in their favour.

The late elections are marked by the increased number of non-voters as compared with those held in 1887—scarcely a fourth of the persons qualified having voted on this occasion, and by the abstention on the part of the Zankoffists to put forward candidates.

At the same time, the unanimity prevailing among the National Party and the failure of the Opposition to carry their candidates, even in those towns where they were hitherto supposed to be in a strong majority, tend to show that the main lines of M. Stamboloff's policy are in accordance with the sense and popular feeling of the country.

There is little doubt that the Government exerted all its influence to secure the election of its candidates; but if M. Stam-

boloff had not been backed by a strong current of popular feeling, it is clearly impossible that he could have carried his nominees without serious opposition, resulting in riots and disorder and the employment of armed force to preserve tranquillity, whereas order does not seem to have been seriously disturbed in any part of the country on the day of the elections. No doubt the stern discipline exercised by M. Stamboloff over his party, and the success attending his efforts for the appointment of Bulgarian Bishops in Macedonia, contributed in great measure to a victory which resulted in the return of about 260 Stambolist candidates out of 288 elected. This majority places M. Stamboloff in the position of being able to control the majority of the votes in the Chamber, even should the Session provoke partial dissensions among his present adherents, and it necessarily secures him the power of dissolving the Chamber, should he be threatened with the appointment of a new Cabinet in case of divergence of views with the Head of the State. It is probably with this view that he exerted all his influence to prevent the election of M. Radoslavoff and the chiefs of his party, while putting forward such Conservative Deputies as MM. Stoiloff and Grécoff, whose following in the country and the Chamber is not sufficient to make him fear that they could form a Government.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, October 3.)

SIR,

Salonica, September 26, 1890.

I REQUESTED Mr. Vice-Consul Blakeney to report fully on the charges against Hussein Bey of Prevesa and his men, and on the action of the provincial authorities in dealing with them; and I have now the honour to inclose a copy of Mr. Blakeney's Report on the subject, with a translated copy of the Memorandum referred to therein.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—Vice-Consul Blakeney to Sir W. White.

SIR,

Prevesa, September 16, 1890.

WITH reference to the action of the authorities in connection with the various charges against Hussein Bey and his men, mentioned in the inclosed translation of a Memorandum on the subject, I beg to state that I have been supplied with the following information:—

1. As regards the murder of the lawyer Tassula, no inquiries were instituted at the time by the "Juge d'Instruction" at Prevesa, because he was afraid to do so; and for the same reason no doubt the lawyer's widow brought no accusation against Hussein Bey before the Tribunals at Janina, and thus the matter ended.

2. The case of Cleopatra Photi Terebere was not brought before the Courts of Justice.

3. Tzotzorini has been found guilty of the murder of the coffee-shop keeper and is in prison at Janina.

4. Of the abductors of the girl Eleni of Ano-Valto, Senani, Salico, and Bassiho Kranioti, the first has absconded, the second, according to the evidence adduced, has been pronounced guilty of misdemeanour, and the third of having violated the girl in question, but the decision of the Court at Janina has not yet arrived.

I have, &c.,

Sir W. White.

C. A. BLAKENEY.

(Inclosure 2.)—*Memorandum on Charges against Hussein Bey, of Prevesa, and his Men.*

(Translation.)

THE district of Lamari is composed of Chifliks, the greater part of which belong to the well-known family of Achmet Dino, of whose heirs only one, Houssein Dino, resides here, and who it seems has been nursed with the traditions of the Phalarides of Epirus, Ali Pasha of Tepelen, and whose rule is therefore to carry out abductions, rapes, acts of violence, murders, plunders, distortions [*sic*] assassinations, and everything which a criminal imagination [*sic*] can conceive; the only difference between them being that the former lacks the power and the courage of the latter.

The Chifliks of Louro and Paleoforo, having each of them above 150 families, belong by right to the public, and Houssein Bey and his brothers (on their mother's side) having only the administration and the produce for which until recently they paid the legitimate tax. About the year 1883 he had hired from his brothers their shares, not for the sake of gain, but for the purpose of oppressing the wretched country-people and to satisfy his passions, which he left unbridled. In order to make them carry out all his wishes he began to take from them their olive trees and the "moussas" (lands for the common grazing of the animals belonging to the villagers) which they possessed from time immemorial and turned them into pasture lands ("kislas"); he burnt down houses, destroyed their crops ("alonia") and everything they possessed by right of heritage. All these things he committed under the eyes of the authorities, to whom in vain the country-people appealed for protection. Owing to the carelessness of the authorities, he succeeded with armed

Albanians to terrify the inhabitants of the Chifliks of Limbokovo, Martinissas, Kastrossas, and [?], and some of them sold all they possessed and others migrated to Greece. He repeated the same but with greater vigour in the villages of Louro and Paleoforo, but the inhabitants of these two villages, trusting to the laws and to the fatherly care bestowed by the Imperial Government, resolved to defend their rights in the Courts of Justice. Still, as they saw that at Prevesa Houssein Dino had great influence and that the Mutes-sarif Abdul Refi (?) instead of punishing the injustice (which is the intention of the Imperial Government) sympathized with the criminal Houssein Dino, and sent innocent people to prison, and by opposing them in a variety of ways impeded the work of justice, they forwarded a Petition signed by all the inhabitants of Louro and Paleoforo to the Vali of Janina on the 4th April, 1885.

The then Governor-General, who justly represented the good intentions of our beloved Sovereign, ordered telegraphically that the villagers should be released, and that a stop should be put to the persecutions as well as to the meddling of the Executive, and the case be brought before the Tribunals. But the Mutessarif, who, like before, sympathized with Houssein Dino instead of affording protection in accordance with the instructions from his superiors, threatened to keep the villagers in prison unless they subscribed a document drafted in accordance with his own views favourable to Houssein Dino. The villagers once more appealed by telegraph to the Vali, who ordered their immediate release. In consequence of this peremptory order the villagers were released, but Houssein Bey continued his persecutions, aided not only by the judicial organs and the ruffianly Albanians with whom he associated, but by the authorities closing their eyes to all these facts. About that time the oppressed villagers appealed for mercy to His Majesty the Sultan, the protector of the oppressed and the severe punisher of the unjust; but the telegraphist, in violation of his duty to observe secrecy, showed the telegram before sending it off to the Mutessarif, who forced the lawyer of the villagers, named Tassula Ketzano, to withdraw it, and at the same time induced Houssein Bey to bring the affair himself before the Tribunals, hoping that he would be able to influence them.

Before the trial Houssein Dino tried to induce the lawyer by offering him a sum of money to give up the defence, but failing he made use of threats; but as even with these he gained nothing he decided to put them into execution. The unfortunate lawyer foreseeing his tragic end and repeating all this, but without effect, to the then Public Prosecutor, Tewfik Effendi, and to the President of the Criminal Court, Taifour Bey, found himself compelled to seek the direct help of the Governor-General, who ordered the life of

the lawyer to be protected, thereby holding the local authorities responsible for any assault made against his person. A long time did not elapse before the affair began to be discussed at Court, but from the preliminary sittings it was conjectured that the result of the trial would be favourable to the villagers. It was then that Houssein Bey decided to put into execution the plan which he had meditated against the lawyer, and thus two days after the discussion, that is, on the 11th October, 1885, as the lawyer was proceeding to the coffee-shop close to his house in the middle of the market, five ruffians, who were in wait for him, and led by Houssein Dino himself, as public opinion will have it, and who gave the first blows, encouraging by his own example the shrinking Houssein Tzotzorini, Beito Bossoryouklis, and the others who have not been recognized, fell upon him.

Although this dreadful crime was committed in the middle of the market and under the eyes of a great many persons, nobody dared to depose anything against them (1) on account of the terror which Houssein Dino inspired and continues to inspire; and (2) on account of the carelessness and apathy of the Executive and the judicial authorities; and who, indeed, would have dared to depose anything when the police, instead of arresting the guilty who were feasting in Houssein Bey's house, imprisoned innocent people, while the criminals walked about armed and the inquiring officials refused to do their duty, and the Judges refused explicitly to institute inquiries? When the Public Prosecutor did not dare to act at all, although the wife of the murdered lawyer handed him an accusation against Houssein Bey, and when the Mutessarif, to whom the widow petitioned that justice should be done to her five children and now beggarly orphans, the case was wrongly and illegally referred to Janina without going through the formalities prescribed by law, such as inquiries, and the Judicial Council at Janina ("Hciet-i-Itaoniye") either by mistake or because it took a wrong view of facts, or from want of local evidence, or for some other unknown reason, acquitted them all.

The acquittance, however, emboldened immensely that criminal character, and from that time the life of the villagers became quite unbearable. Nobody dares help the hungry widow and the orphans of the lawyer who fell a victim to his duty. Full of doubts, nobody has the courage to go to the Tribunals lest some day he should fall under the hand of an assassin. His house has become a nest of ruffians. He who has murdered a father or a mother, and all persons who deserve to be hanged, find refuge in his house; all those in his company are ruffians and murderers.

The renowned ruffian Beito Bouyoupoglis having been sentenced for seven different crimes and run away from the prisons of Prevesa,

was until recently the man who looked after his Chifiks, and at the same time perpetrated several acts of brigandage.

The notorious Houssein Tzotzorini, Senani, and Salico were until yesterday his body-guards. In consequence of the various acts of oppression, cattle-lifting, raids, violence, and rapes committed daily by Houssein Dino and his men, many of the inhabitants of Louro and Paleoforo, Martinissa, and Mazi have been compelled to migrate to Greece. This most serious affair could not indeed escape the notice of the Imperial Embassy at Athens, and, having inquired into the matter, an Attaché of the Embassy was dispatched to Prevesa to ascertain the cause of this migration.

In consequence of his report and of the repeated telegrams and Petitions of the villagers the Ministry of the Interior, through the Vali of Janina, ordered strict inquiries to be made, but the Mutesarraf Abdul having become related to Houssein Dino, represented matters, it appears, in his favour, and thus frustrated the good intentions of the Government.

About the month of June 1890 Houssein Dino carried off from the middle of the market a poor girl, aged 14 years, named Cleopatra Photi Tarabera, whom he violated with impunity because the authorities did not wish to disturb the peace of a friend and relative and punish his action. In vain did the Metropolitan protest; in vain the whole society became agitated; in vain was the behaviour of this monster telegraphed; in vain were all these things stated in a Petition to the present Minister of Justice Ali Riza Pasha when on his way to Janina last year. The short stay at Janina of this most just person did give him time to find out everything and to punish the guilty, Houssein was induced to leave for awhile, but returned shortly after and resumed his former unbridled life.

Immediately after his return, he associated himself with the sons of Souleiman Dino, of Paramithia, and cattle-lifting commenced, and the horses, mules, and oxen, and other animals belonging to the villagers, which his men steal for him, he sends to Paramithia to be sold there, and the animals stolen at Paramithia are sent to him at Prevesa for the same purpose.

Houssein Tzotzorini, a guard of Houssein Bey, who took an active part in the murder of the lawyer, Tassula Ketzano, murdered last year the coffee-shop keeper, Mantho Melina. As there were numerous proofs against him, he was arrested, but nobody dared to give evidence against him in the Tribunals, because the other participators in the crime walked about the streets armed, and because the then Public Prosecutor, Rasid Bey, tore up the accusation made by the relatives of the murdered man.

The other guard of Houssein Bey Dino, Salico, who temporarily looked after the Chifik of Ano Valto, having with him the runaway

Senani and two others, carried off on the 20th August (o. s.) from the above-mentioned village the girl Eleni to the mountains and violated her. This having been made known to the Mutessarif in consequence of strong representations made by the Metropolitan at Prevesa, he was compelled to send zaptiehs there. The Chief of the detachment, Sali Effendi Mouliazim, succeeded in capturing them in Houssein Bey's house, which he surrounded with his men. Senani, however, escaped, and formed a band, at the head of which he goes about the villages in broad daylight threatening and oppressing the country-people.

The villagers of Valto having been ill-treated, appealed to the Mutessarif for soldiers or for arms, but the Mutessarif replied that he could not supply them with arms, but he would send them troops when the zaptiehs who were sent out to collect his taxes returned.

After this negative reply seventeen villages telegraphed to His Majesty and to the Vali of Janina on the 18th May (o. s.) and gave a long account of the various acts of oppression and the crimes committed by Houssein, and, as orders to inquire into the matter were sent from Janina the Mutessarif, in order to mislead justice, sent the affair to the Public Prosecutor to ascertain whether the signatures attached to the above telegram were those of the villagers, and, on the other hand, Houssein Bey brought from Tzamouria some armed Albanians, some of whom he sent to the villages to terrify the inhabitants, and the others he kept at Prevesa to employ them against anybody who should dare to give evidence against him.

The Public Prosecutor was declared incompetent, and the inquiring Judge, employing great pressure, attempted to distort the depositions.

The villagers seeing the shameful partiality of the authorities, and having no longer any confidence in them, telegraphed to the Vali of Janina on the 8th June (o. s.) as follows:—

“ To the Governor of Janina,

“ The examination of the contents of our telegram by which we complain against Houssein Bey and his men has been entrusted to the Mutessarif of Prevesa, who is a relation of Houssein Bey. First we are threatened by the men whom Houssein Bey sends to the villages, and after that we are summoned to be examined. As our families, our children, and our animals are in the mountains, in the wilderness, for these reasons we are afraid to tell the truth. Being afraid of the Albanians who are in our villages and of those whom he has at Prevesa, and of Houssein Bey himself, as well as of the Mutessarif, who is a relative, nobody dares to bring a charge or to give evidence against him. For these reasons we beg that an

impartial Commission be sent hither to ascertain the truth; otherwise, we shall again be compelled to appeal to His Majesty the Sultan."

No doubt the authorities at Janina, after these consecutive Petitions and telegrams from the villagers, have ordered that the necessary steps should be taken; still, neither a Special Commission has been sent to inquire into the complaints, nor has the Mutessarif done anything to put a stop to these evils, but, on the contrary, he is trying to suppress every voice calling for justice; consequently, it is feared that the villagers, in despair, should commit reprisals.

That all these facts, which are but a few of them, are true, is proved by the cypher telegram of the 18th June, 1889, which the Mutessarif was forced to send to the Vali of Janina, as it had been resolved by the Mutessarif himself, the then Cadi Helmi Effendi, the late representative of the Bishop, and the former President of the Criminal Court, Taifour Bey, to do so.

Consul-General Blunt to the Marquess of Salisbury.—(Received October 3.)

MY LORD,

Salonica, September 27, 1890.

I HAD anticipated your Lordship's instructions contained in Sir P. Currie's despatch of the 12th ultimo,* relative to the outrages alleged to have been perpetrated by the Turkish authorities at Siatista and other places in Southern Macedonia, by directing Mr. Vice-Consul Shipley to inquire and report whether there is any, and what, foundation for the statements published in the "Daily News" of the 4th ultimo on the subject.

* Asking for information with regard to the following question asked by Mr. Schwann in the House of Commons on the 7th August:—

"*Mr. Schwann*,—To ask the Under-Secretary of State for Foreign Affairs whether he has had any report as to the hardships endured by the Christians of the district of Alassonia, in Southern Macedonia, ever since martial law was proclaimed there:

"Whether his attention has been particularly drawn to the case of the seizure a few days ago of twenty Christian Notables of Siatista, who were taken bound to the town of Servia, and beaten unmercifully to compel them to reveal the names of those persons who were supposed to harbour brigands: and to the report that some gendarmes thrust a red-hot bayonet into the nose of Nicholas Doukas, a Notable, who is dying from the effects of the cruelty and violence shown to him:

"Has he, further, any information of the seizure of some 200 persons belonging to the district of Anaselitza, who were conveyed to the town of the same name, and tortured in order to extract money:

"And will he make inquiries into these alleged atrocities, and remonstrate, if they prove true, with the Turkish Government?"

I have now the honour to inclose Mr. Shipley's Report, which he hopes soon to supplement with further information. I also inclose a translated extract from the "Salonica Gazette," contradicting the statements of the "Daily News" correspondent. I should, however, add that some details which have reached me from other sources are in harmony with the information furnished by Mr. Shipley respecting the alleged misconduct of Fethi Effendi, the Mudir of Siatista.

With regard to the story that the nose of one Nicholas Ducas was bored with a red-hot bayonet by a Turkish soldier, and that the man is dying in prison, I am assured by persons who have seen him in Salonica, where he very recently arrived for the purpose of purchasing cattle, that the story is without any foundation. The man admitted that he had been apprehended and taken to Serfidje on suspicion of being in league with brigands, and stated, further, that he was shortly afterwards declared innocent and released, and that no such outrage as has been described had been committed on him.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure 1.)—*Vice-Consul Shipley to Consul-General Blunt.*

SIR,

Monastir, August 26, 1890.

I HAVE the honour to acknowledge the receipt of your despatches of the 12th and 17th August respectively, instructing me to obtain for you full information respecting the atrocities alleged to have been committed by the Turkish authorities at Siatista and other places in Southern Macedonia, an account of which has appeared in the "Daily News" of the 4th instant.

In reply, I have the honour to report to you that the main facts of the imprisonment of the Notables of Siatista are, I have ascertained, true; the Notables in question having been thrown into prison as far back as the end of last May by order of the Mudir of that place, Fethi Effendi. My informant, moreover, asserts that the reports respecting the ill-treatment of the prisoners is in substance true also. The account given by him may, nevertheless, be greatly exaggerated, and bearing in mind the very serious nature of the charges which he, as well as the "Daily News," brings against the authorities, I would beg to be allowed to defer reporting more fully upon them until I am in possession of the information which I have taken steps to obtain from the district itself, and which I hope will arrive in the course of a few days.

In the meantime, as Fethi Effendi, the Mudir of that place, has been transferred to Ventcha, in the neighbouring Caza of Kozani, it is difficult to believe that the charges brought against him can be wholly without foundation. It appears, moreover, that no less than

three Petitions have on different occasions been presented to the authorities by the inhabitants, praying for his removal on the grounds of extortion and abuse of authority. I may add, as partly explaining why little or nothing has transpired at Monastir on the subject of the above proceedings, that the trade of Siatista is mainly with the south, and that communication with Monastir is therefore very rare. I find, moreover, that the Christian inhabitants, when it is a question of bringing a complaint against a particular official, show an extreme reluctance to apply to a Consulate for assistance.

With regard to the proceedings at Anaselitza, I have also, as in the case of Siatista, applied for details from the district itself. As regards Elassona, however, the situation would appear to be considerably exaggerated. I learn from an individual who has recently passed through that district that the state of things appeared to be, on the whole, quiet and peaceful. If the oppression referred to by the "Daily News" existed, he could scarcely fail to have noticed it. I am the more inclined to credit his testimony as he is of Greek nationality, and has, therefore, no motive for concealing the truth.

I have, &c.,

J. E. Blunt, Esq.

H. S. SHIPLEY.

(Inclosure 2.)—*Extract from the "Salonica Gazette" of September 1, 1890.*

(Translation.)

WE have read in a recent number of the "Daily News" that about twenty Christian Notables of Siatista, accused of harbouring brigands, had been carried to Serfitché, and that one of them, Nicholas Ducas, even had his nose bored with a red-hot bayonet; moreover, that 200 of the inhabitants of the Caza of Naslij had been summoned to the chief town, where their money was extorted from them.

The Sandjak of Serfitché is close to our vilayet, and we have always received from Serfitché the most gratifying accounts of the peace and tranquillity prevailing in that sandjak. Our attention was accordingly attracted and our astonishment aroused by the reports in the "Daily News" to which we refer. Knowing how largely the correspondent of that journal has been dealing in similar baseless stories, we felt sure that these reports also would prove to be slanders of the familiar type. We, however, proceeded to make inquiries into the facts.

According to the official information which we have received, the statements of the correspondent that a man's nose was bored with a red-hot bayonet, and that hundreds of persons were summoned by the authorities and subjected to extortion, are entirely

false. The fact is that Nicholas Ducas and five other persons were summoned, and are being tried on the charge of harbouring brigands. Fifteen persons from the Caza of Anaselitza have also been arrested on the same charge.

Evil-disposed persons may find it convenient to use the European press for the purpose of giving to the world distorted accounts of the measures which are being taken to bring harbourers of brigands to justice, and to secure the peace of the country, but under the auspices of His Imperial Majesty truth will prevail, &c.

Sir W. White to the Marquess of Salisbury.—(Received October 3.)

MY LORD,

Therapia, September 27, 1890.

WITH reference to my despatch of the 13th instant, I have the honour to inclose herewith to your Lordship translation of a letter addressed by the Minister of Justice and Public Worship to the Œcumenical Patriarch, and his Holiness' reply, relating to the differences which have arisen between the Sublime Porte and the Greek Patriarchate, and the investigation now proceeding by a Special Commission at the Sublime Porte.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

(Inclosure 1.)—The Turkish Minister of Justice and Public Worship to the ex-Patriarch Dionysius.

(Translation.)

3rd Sefer, 1308 (September 6, 1890).

THE Committee which has been instituted by Imperial Iradé at the Sublime Porte in order to investigate certain claims of your Patriarchate has this day begun its investigations.

As the decision of the Sublime Porte, based on these investigations, will in a short time be communicated to you, His Imperial Majesty the Sultan has ordered that no pretext be given to any member of your community for indulging in improper conduct, but that you await such decision, and that at the same time you inform those whom it may concern that, in case of any such disagreeable occurrence, both the Patriarch and those with him will be considered responsible for the same.

For this reason, I expect you to do what is necessary in conformity with the above order.

RIZA.

(Inclosure 2.)—*The ex-Patriarch Dionysius to the Turkish Minister of Justice and Public Worship.*

(Translation.)

SIR,

September $\frac{6}{10}$, 1890.

YOUR official letter of the 6th September (O. S.) was communicated to me the day before yesterday.

You informed me therein that the Imperial Government would, in a short time make known to me its decision on the ecclesiastical questions, and that an Imperial Order recommends my preventing all disagreeable action which might be taken by any member of my community, holding both the Patriarch and those with him responsible in the event of this recommendation being disregarded.

In answer, I have the honour to state that when I resigned my Patriarchal functions I clearly declared that I, as Patriarch, and consequently all those who, according to the regulations, work conjointly under the presidency of the Patriarch, viz., the Holy Synod and the Mixed Council, are not only not the authors of the pitiable condition of the Church and of the more serious consequences likely to result therefrom, but protest against those who have provoked and who tolerate it, who alone must be held responsible.

However, my nation, which has always behaved prudently and in obedience to the law, perseveres with patience in this conduct, and anxiously awaits the speedy settlement of these most vital questions, which alone can put aside responsibility by establishing peace in the Church.

DIONYSIUS.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received October 3.)

MY LORD,

Belgrade, September 30, 1890.

I HAVE the honour to report that the result of the general election to the Skuptchina, just concluded, is as follows:—

Radicals	113
Liberals	17
Progressists	2
Doubtful	2
<hr/>	
Total	134

This result was a foregone conclusion, but it was not expected that it would have been arrived at with such an entire absence of disturbance as I am assured in a Government quarter was the case throughout the country.

It is characteristic of the usual manner of conducting such

matters in Servia that the Government are credited with much fairness for not having imprisoned a single adverse voter before the polling.

I have, &c.,

The Marquess of Salisbury.

F. R. ST. JOHN.

Mr. Haggard to the Marquess of Salisbury.—(Received October 7.)

MY LORD,

Athens, October 2, 1890.

AT his weekly reception of the Corps Diplomatique yesterday, M. Dragoumis told me that he learned from Constantinople that England and Russia were uniting their efforts to induce the Sultan to yield to the Greek Patriarch's demands, except that with reference to the Berats. I asked his Excellency what were the wishes and what had been the action of the Greek Government in the question.

He replied that they had done nothing, and had given the Patriarch no advice.

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD.

Sir R. Morier to the Marquess of Salisbury.—(Received October 8.)

(Extract.)

St. Petersburg, October 4, 1890.

I HAVE the honour to transmit to your Lordship herewith the inclosed summary, by Mr. Peel, of twelve letters addressed by the well-known publicist, Tatishcheff, to the "Novoe Vremya" on Bulgarian affairs.

M. Tatishcheff, who is a man of undoubted ability, and was formerly in the Russian Diplomatic Service, has on many occasions rendered himself highly disagreeable to the Russian Government by his revelations and the open character of his strictures on their policy. He has, however, never been a blind tool of the Panslavist party, but has taken a line of his own, and had the courage of his opinions.

In the present instance he has avowedly paid his sensational visit to Bulgaria with a view to ascertaining what were the conditions on which an understanding could be come to between Russia and the Principality.

How far he has given a correct account of his interviews with the important persons he has approached it is for the "interviewees" to decide, and grave denials of his accuracy have already been furnished by the Austrian and German Consular Agents at Sophia; but one portion of his testimony—coming, as it does, from a Russian patriot—appears to me to be of great importance. I allude to his description of the internal state of the country, and to the extra-

ordinary material progress made by it during the last few years, and under the present régime.

The Marquess of Salisbury.

R. B. D. MORIER.

(*Inclosure.*)—*Summary of twelve Letters on Bulgarian Affairs addressed by M. Tatishcheff to the "Novoe Vremya."*

M. TATISHCHEFF, who is a well-known writer on political affairs, and formerly a member of the Russian Diplomatic Service, lately undertook a journey to Bulgaria which attracted a good deal of attention in the foreign press. The results of this journey have just been made known in a series of letters which he has published in the "*Novoe Vremya*."

The object of his journey was, as an independent writer in the Russian newspapers, to get some acquaintance with the political affairs of a country which, since the interruption of relations, the Russian people had for four years only learnt through the medium of Bulgarian emigrants and the foreign press, two very unreliable sources; and, secondly, to come into contact with the Bulgarian political leaders, and to discuss calmly and dispassionately with them the causes which had led to the rupture of good relations between the two countries, with a view to removing all the misunderstandings that had arisen, and to clearing the ground for the purpose of bringing about a reconciliation.

The first three letters he devotes to a résumé of the historical events which have taken place in Bulgaria from the year 1886, when General Kaulbars and the Russian Agents left the country. In the fourth and fifth letters he gives an account of the interviews he had with the foreign Representatives at Sophia.

In searching for the German Consulate, he was taken by mistake, he says, to the house of the Austrian Agent, who discussed the position of affairs, and told him that the only point of difference between Austria and Russia was the Bulgarian question, and the disagreement consisted in this: that Russia held that the election of Prince Ferdinand was illegal, while Austria, on the other hand, recognized the validity of his election, but admitted that his position in Bulgaria was not in accordance with Article III of the Berlin Treaty. However, Prince Ferdinand, by his wise rule, had now so strong a hold on the affections of the Bulgarians that his overthrow was quite impossible.

Tatishcheff discusses the part which Austria has played in the political history of Bulgaria during the last four years, and then goes on to describe his interview with Baron Wangenheim, the German Consul-General, who, from his outward appearance, he says, has more the look of a lawyer's clerk than a diplomat.

In speaking generally of the affairs of the country, Baron Wangenheim said that there were no defined political parties in Bulgaria; that there were as many leaders as parties, who had but one aim in view, and that was to get power. He cited Radoslav as an instance of one who was supposed to be a partizan of Prince Battenberg, but the real cause of whose opposition was the fact that he had no place in the Government. Like M. Burian, Baron Wangenheim spoke in the highest praise of Prince Ferdinand, who, he asserted, had much greater weight and power in the country than was generally supposed in Europe, and who would never willingly leave Bulgaria.

M. Tatishcheff then reviews at some length the political attitude of Germany, France, England, and Italy, the gist of which is that Germany has all through only given an apparent support to Russian claims; that she has in fact played a double part; she did not in any way interfere with the election of Prince Ferdinand, and had never shown the slightest dissatisfaction with regard to the interior affairs of Bulgaria, Prince Bismarck's policy evidently being to draw Russia into taking some energetic step; and M. Tatishcheff is of the opinion that, if the retirement of Prince Bismarck brings any change in the policy of Germany, it will only be to the advantage of the present Government in Bulgaria. There was only one country which was a true friend to Russia, and that was France. The French Agent was the only one of the foreign Representatives who was not personally acquainted with Prince Ferdinand, and who had received instructions not to discuss political matters with the Bulgarian Ministers, but to confine himself to purely current affairs. England had supported Prince Ferdinand out of mere hatred to Russia, while Italy had followed the same course, but for different reasons, because she had sincerely at heart the interests of the country, and believed that Prince Ferdinand's Government was entirely in accordance with the wishes of the Bulgarians.

After visiting the foreign Representatives M. Tatishcheff next had an interview with the Minister of Justice, M. Tontcheff, with whom he found the War Minister, M. Mutkuroff, and, having explained to them the objects of his journey, he propounded the following question: Did they not consider it to be the interests of their country to put an end to the strained relations existing between Russia and Bulgaria, and, if so, what means had they in view in order to attain this end? M. Tontcheff submitted that it was not the fault of Bulgaria that relations were strained, and he recapitulated the causes which had led to this unfortunate state of things. M. Mutkuroff went further than M. Tontcheff, and asserted that Russia's aim had always been to make Bulgaria serve her own purposes; she wanted to turn Bulgaria into a Russian province. Tatishcheff in his turn said that Russia had been deeply wounded by

the fact that Mutkuroff had allowed the army, which was created by Russia, to be inspired with feelings of hostility towards her, and that M. Tontcheff had allowed Bulgaria to become a place of refuge for the Nihilists; and when M. Petroff, the Vice-President of the Sobranjé, and the editor of the "Svoboda" joined them, and the conversation passed on to the criminations of the Russian press, the discussion grew so bitter that Tatishcheff was on the point of leaving the room, but was prevailed upon to stay by Tontcheff, when further talk was interrupted by the arrival of Stamboloff. "We all speak here," he said, "the Russian language, so that you might almost imagine you were in Russia." "The words are Russian, M. le Président," answered Tatishcheff, "but unfortunately they do not express Russian sentiments." Tatishcheff describes the personal appearance of Stamboloff, and was evidently much struck by the strength of will and resolution displayed in his features; he also particularly notices the fact that Stamboloff wore three rings on his hands of diamonds, rubies, and emeralds, the national colours of Bulgaria.

He then proceeds to give an account of the conversation which he had with Stamboloff alone, the other Ministers having left the room. He again explained his reasons for coming to Bulgaria, and admitted the fact that the Russians had been in error in supposing that he and his Ministers had acquired power by force and in opposition to the will of the large majority of the Bulgarian people. Their four years' tenure was a sufficient proof to the contrary. The time, however, had now arrived when Stamboloff would have to choose between coming to a reconciliation with Russia and carrying on war with her to the death.

Stamboloff listened with great attention, and seemed very much impressed. "The day of reconciliation with Russia," he said, after a few moments' silence, "will be the happiest day of my life. I said so publicly in the Sobranjé last year. But this does not depend upon me. I have done everything that I could, and would do a great deal to obtain this much-wished-for result; but I admit I hardly believe in its possibility. Too much misunderstanding, prejudice, and passion have risen up between us."

He then went into the grievances of the Bulgarians. They had been slandered before the Czar, his Government, and Russian society; in fact, throughout the whole of Russia. The Russian Diplomatic Agents had all, with the exception of Prince Cantacuzène, entirely misunderstood the importance of political events which had been accomplished under their eyes. With Kaulbars disappeared all hopes of coming to any agreement. It was impossible to confer with such a man on account of his irritability and presumption, and his ignorance of affairs. He was under the

influence of Zankoff, whose sole aim was to overthrow him (Stamboloff).

Stamboloff next touched upon some of the events connected with Kaulbars' stay in Bulgaria, and mentioned the fact that in the question of holding the elections he had been willing to meet Kaulbars half-way, and to defer them for one month instead of two, which Kaulbars had demanded.

"Will that satisfy you?" asked Stamboloff.

"Do you wish to bargain with me?" answered Kaulbars; "do you take me for a merchant?"

Again, Kaulbars would not discuss the question of a candidate for the Bulgarian Throne, and after the King of Denmark had refused to allow his son to be nominated, they had waited in the hopes of getting some definite idea from Russia, but in the meantime all the Russian Representatives were withdrawn. The reason why the Prince of Mingrelia was not chosen was because they had heard a report that he was willing to sell the Principality to Russia for a sum of money. They had earnestly set about to find a Prince to insure peace and bring about the independence of their country, and it was only after the Prince Oscar of Sweden and the King of Roumania had declined their offers that, out of despair, they had elected Prince Ferdinand, who, up till now, had ruled very well, and was anxious above all things to come to an agreement with Russia.

"You are joking with me; never will Russia agree to recognize Prince Ferdinand," said Tatishcheff, who got up to go, but Stamboloff prevented him with his hand.

Stamboloff proceeded then to discuss the great aims of his political life, which he said were two: the complete independence of Bulgaria and its national unity. He described how the Congress of Berlin had placed obstacles in their way, and that in consequence they were not the real masters in their own house. They had counted on the eventual support of Russia, but she had opposed the union of Northern and Southern Bulgaria, supported the party who wished to bring in Western influence, and had caused Prince Alexander to abdicate.

Now the Bulgarians were determined to get what Russia had not succeeded in getting for them, while the withdrawal of the Russian officers from the Bulgarian army, and the fact that this had not prevented their country from pursuing a successful war against Serbia, had given them confidence in their own strength, and increased their feeling of independence. The attitude of Russia in withdrawing her Diplomatic Agents had brought them into close relations with the Western Powers, and the Bulgarians had made use of the latter's hostility to Russia to become more and more independent. "Would I not," asked Stamboloff, "have preferred

the refusal of the Porte rather than her consent to grant Berats to the Macedonian Bishops?" "Because in that case," said Tatishcheff, "you would have had no hesitation in proclaiming the independence of Bulgaria." "Certainly; that was my reason," said Stamboloff.

Tatishcheff generally inferred from these remarks that Bulgaria was determined to get her independence recognized by Turkey in a friendly way, the Sultan being convinced that Bulgaria is for ever lost to Turkey, while the support of Austria and England is guaranteed through the fear lest a reconciliation might take place with Russia. "But in the event of a war," asked Tatishcheff, "what side would Bulgaria take?" "What does the partridge do when wild beasts are fighting in the forest?" answered Stamboloff. "She crouches in the ground and lies there till the battle is over; so must the Bulgarians act; they would have to be neutral. But in either case, if Austria won she would swallow Bulgaria up like an oyster, and if Russia were victorious, Bulgaria would be turned into a Russian province."

Tatishcheff denied this, and proceeded to point out the advantages which would accrue to Bulgaria in coming to an agreement with Russia. They were twofold: her independence would then be legally recognized according to the Berlin Treaty; secondly, it was Russia alone who could accomplish the unity of Bulgaria, for the territories extending to the *Ægean Sea*, and including Macedonia, had always been considered by the Western Powers as their special prey. "I know," said Stamboloff, "their thievish designs; but neither England nor Italy would allow Austria to advance as far as Salonica."

As, continued Tatishcheff, the independence of Bulgaria depended entirely upon Russia, and without Russia the idea of unity was a myth, Stamboloff must see that the wisest policy of his Government was to become reconciled to Russia as quickly as possible. But reparation would have to be made for the offences of the past, and guarantees would have to be offered that the interests of the Orthodox Church would be maintained.

What Russia wanted in the first place was reciprocity. It was this that Zankoff and his friends wished to establish; up to the present Russia had done everything for the Bulgarians, and had asked for nothing in return. It was hardly to be expected that in the event of a war Bulgaria should content herself with offering the Russian forces only hay and straw. In the second place, Prince Ferdinand must go, his election was illegal; he was a Catholic and an Austrian, and so naturally subject to Austrian influence. In a war with Russia there was nothing to hinder him from disowning Stamboloff and his friends, and setting up in their place Swiloff.

Grekoﬀ, Natchevitch, and Petroﬀ, and joining arms with the Austrians.

The conversation then finished, the general impression left on Tatishcheﬀ's mind being that Stamboloff, though in fault, was sincere, that he had invited Prince Ferdinand in order to do his country a service, and that he would compel him to leave if he saw that the interests of his country required this step. Before leaving, however, Mutkuroﬀ and Tontcheﬀ, who were in the adjoining room, begged to state that what Stamboloff had said was the expression of their own opinions.

After his interview with Stamboloff, Tatishcheﬀ employed the second day of his stay at Sophia in examining the internal affairs of Bulgaria, and concludes his letters by reporting the results of his investigations, which, according to his account, he gathered from the most trustworthy sources. He maintains that they prove that the country and its inhabitants are in the most flourishing condition, in spite of the assertions of the Russian newspaper correspondents and the Bulgarian emigrants, who are constantly representing them as being in a state of anarchy and ruin.

Political troubles, he says, have only acted on the surface, and have not disturbed industrial occupations, and already much has been done to develop the productive resources of the country. He draws particular attention to the fact that there are now existing in Bulgaria thirteen Schools of Agriculture, seventy-eight Land Banks, with a capital of 16,000,000 fr., while a sum of 50,000 fr. is yearly being spent in supporting a system by which professors of agriculture may be enabled to give lectures in the provinces, and efforts have been made towards the distribution of seed and unreclaimed land. Less progress has been made in commerce and industry, but even here there is a certain success to boast of; for, in the past year, seven Commercial Companies, twelve Savings Banks, and a Shipping Company have been formed, while arrangements have been made towards the establishment of a Fire Insurance Association. Besides this, the railway which has been constructed from Jamboli to Bourgas now enables the products of Southern Bulgaria to find their way to the sea, and a large harbour at Bourgas is in the course of construction.

In turning to what has been effected as regards education, he notices that there are now 3,844 elementary schools, with a staff of 5,000 teachers, and an attendance list of 172,000 children, seven gymnasiums, four higher schools for women, besides the University and the Military School at Sophia, while 134 students are maintained at the cost of the State in foreign Universities.

The finances, too, of the country are in a satisfactory state, although the expenses exceed the receipts; but this is explained by

the fact that more lately has been expended on the army and public works.

From all this he infers that nothing more could be desired were it not that there exists the most arbitrary form of government, which infringes all the constitutional rights and privileges of the people. Stamboloff governs in the position of a Dictator, and he and his friends trouble themselves very little about the laws, supported as they are by a large majority in the Sobranjé. Tatishcheff then puts the question: "Is it not true that there is a reign of terror in Bulgaria, and that, with the help of a small minority, the Government is in the hands of a small band of usurpers?" Which he answers by saying that such an assertion is completely false, and could only be made in the Strastnoi Boulevard, *i.e.*, the street where the "Moscow Gazette" is published, or by those who receive all their accounts from the emigrants, and that one single day in Bulgaria is quite sufficient to convince any one of the contrary, and to see that the Government is supported by an immense majority.

Tatishcheff then describes the political parties in Bulgaria, and observes that their differences are of a purely local character, with a view to getting into their hands the direction of affairs; that Russia does not come into their consideration at all, not, however, as he is careful to point out, that the Bulgarians are unmindful of all that Russia has done for them, but they love their country more, and Stamboloff is shrewd enough to take advantage of this feeling to persuade them that what he aims at is the unity and independence of Bulgaria; and they pardon everything when they reflect upon the union of Northern and Southern Bulgaria, and the extension of the influence of their Church in Macedonia.

ARTHUR PEEL.

Mr. Haggard to the Marquess of Salisbury.—(Received October 13.)

MY LORD,

Athens, October 6, 1890.

THE "Official Gazette" of the ^{22nd September}_{4th October} publishes a Royal Decree sanctioning, in accordance with law, the Rules under which a Society styled "The Macedonian Brotherhood on behalf of the Poor" is established in Athens.

In accordance with Rule 1, the object of the Society is to assist Macedonians who are indigent and unable to work.

Rule 2 lays down that the Society will, by material and moral means, encourage indigent Macedonians by gifts of money and books to poor pupils of both sexes, and by the establishment of night schools.

Rules 3 and 4 refer to membership, ordinary and honorary. The former must be Macedonians suited to promote the object of the Society; the latter includes persons distinguished by their condition and patriotism. Corresponding members are also to be admitted, and by Rule 14 these latter must undertake and execute with zeal the work with which they may be charged by the Society.

Members, according to the class to which they belong, are to contribute from 4 to 6 drachmas a-year. It is possible that the subscription may somewhat interfere with the success of this patriotic Society.

The title of the Society would appear to be somewhat misleading, as the tenour of the whole document shows that the Society aims rather at political objects than at the assistance of indigent Macedonians.

Rule 52 lays down that the day on which the Society will celebrate its anniversary is to be that of the Resurrection of Our Lord.

I have, &c.,

The Marquess of Salisbury.

W. H. D. HAGGARD.

The Marquess of Salisbury to Sir W. White.

SIR,

Foreign Office, October 14, 1890.

I HAVE received a copy of the despatch addressed to your Excellency by Mr. Consul-General Blunt on the 26th ultimo respecting the outrages alleged to have been perpetrated by Hussein Bey of Prevesa; and I shall be glad to know whether you have been able to take any action in the sense suggested therein.

I am, &c.,

Sir W. White.

SALISBURY.

Sir W. White to the Marquess of Salisbury.—(Received October 17.)

MY LORD,

Therapia, October 9, 1890.

I HAVE the honour to transmit herewith, with reference to my despatch of the 17th September, 1888, a copy of a despatch from Her Majesty's Vice-Consul at Scutari, describing the measures taken by the Montenegrin Government with a view to the exclusion of the Catholic Albanian clans of Skrelli and Klementi from the lands hitherto owned by them in the Dulcigno district.

Mr. Lamb points out that should the Montenegrin Government succeed in ejecting these Albanians, an injustice will have been

committed which was certainly not contemplated by the Powers who brought about the Dulcigno cession.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE

(Inclosure.)—Vice-Consul Lamb to Sir W. White.

SIR,

Scutari, September 25, 1890.

Two years ago (viz., in my despatch of the 2nd September, 1888), I had occasion to draw your Excellency's attention to the position of the two Catholic clans of Skrelli and Klementi in regard to their winter pasturage in the lowlands, and alluded to the desire, which the Montenegrin Government had already begun to manifest, of excluding these people from that portion of their lands which lies within the ceded district of Dulcigno.

The inhabitants of the poorer districts of Montenegro, who have to struggle against the yearly increasing difficulty of subsisting upon the produce of their arid hills, have long cast envious glances upon the relatively fertile plain of the Boyana, and grudge to see it occupied by Albanians. The latter have for some years past complained that vexatious regulations were continually being introduced by the authorities of Dulcigno for the apparent purpose of harassing and disgusting them; but their lowland holdings being absolutely indispensable to them, they have necessarily submitted. Presumably, therefore, the Montenegrin Government now finds itself compelled, by the increasing insistence of its own subjects, to adopt more active measures to eject them.

As the time again approached for their descent into winter quarters, the Governor of Dulcigno informed the tribesmen that their entry into his district would be permitted only on certain conditions, which were briefly, that they should elect permanent domicile in Montenegro, adopt the Montenegrin head-dress ("kepitza"), and accept military service as Montenegrin subjects, or, in lieu of service, pay a yearly exemption fee of 6 florins per (male) head. Should these conditions not be accepted, the Montenegrin Government would recognize their ownership of those lands to which they could establish a documentary title, but would not permit them to cross the frontier with their cattle, and would regard as State property all such lands as to the legal ownership of which no written evidence was forthcoming.

Out of some 200 families, whose winter quarters lie in the Dulcigno district, only one is known to me as holding any kind of title-deeds for the land in his possession. These lands were for the most part acquired from thirty to forty years ago by purchase

from the Mussulman Beys of Scutari and Dulcigno, who themselves, generally, had no title beyond possession and local tradition. Nevertheless, their right to their holdings has remained undisputed down to the present time, being regarded as perfectly satisfactory by the Turkish Government, and recognized hitherto by the Montenegrins themselves, who, for ten years, have collected revenue from the mountaineers without a hint that they disputed the legality of their tenure.

The mountaineers have presented a formal protest to the Ottoman authorities, and the Bairaktar of Skrelli proceeded to Dulcigno to plead their cause with the Voivoda, from whom he obtained the concession that a sufficient number might be allowed to pass the frontier to gather in the standing crops of maize; but it was insisted that they should leave their cattle behind, and regard this permission as only temporary, pending the receipt of further instructions from the Prince.

How far the Ottoman Government will be able, or will endeavour, to protect the interests of its subjects I cannot, of course, foretell; but, judging from the example of the Dulcignote Mussulmans, their chances of obtaining effective support in that quarter would seem to be but small. Nevertheless, I venture to submit that if the Montenegrins succeed in ejecting these people from their lands, an act of gross injustice will have been performed, which was not at all contemplated by the Powers which brought about the Dulcigno Arrangement of 1880.* In his despatch to Mr. Goschen, dated the 2nd October, 1880, recapitulating all that had taken place in regard to that Arrangement, Earl Granville remarks that one of its chief advantages "is that it avoids interfering with the organization of the mountain clans"—a statement scarcely consistent with a transfer of about one-third of the Skrelli clan to Montenegrin nationality. It was obviously intended that these clansmen should retain their Ottoman domicile, while I cannot suppose that it was desired to deprive them of half their possessions.

I have, &c.,

Sir W. White.

HARRY H. LAMB.

Sir W. White to the Marquess of Salisbury.—(Received October 17.)

MY LORD,

Therapia, October 11, 1890.

I HAVE the honour to inclose herewith to your Lordship copy of a Memorandum by Mr. Dragoman Stavrides, in which he reports the Resolutions passed by the Council of the Greek Patriarchate to inform the Porte of their dissolution, and to invite the authorities

* Vol. LXXII, page 318.

of the Orthodox Greek Church to suspend all religious ceremonies, and to close the churches in their dioceses.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

(*Inclosure.*)—*Memorandum by Mr. Stavrides.*

DANS le Conseil qui a été tenu hier au Patriarcat Grec, il a été décidé ce qui suit :—

1. Que la Porte sera verbalement informée que, vu la démission du Patriarche et de la continuation indéfinie de l'état anormal des affaires de l'Église, le Conseil se retire de la direction des affaires et se dissout.

2. Que le Synode informera toutes les Églises Orthodoxes de la condition déplorable de l'Église d'Orient.

3. Que les titulaires de tous les diocèses Orthodoxes qui se trouvent dans l'Empire seront informés de la décision prise, et seront invités à agir en conformité; en d'autres mots, à suspendre toute cérémonie religieuse et à fermer les églises.

Ces Résolutions m'ont paru trop sérieuses et de nature à avoir de graves conséquences. C'est pourquoi je m'empresse de vous en faire part avec prière de les porter à la connaissance de son Excellence l'Ambassadeur.

Constantinople, le 9 Octobre, 1890.

Sir W. White to the Marquess of Salisbury.—(Received October 31.)

MY LORD,

Therapia, October 15, 1890.

WITH reference to previous correspondence relating to the question of the ecclesiastical privileges in dispute between the Ottoman Government and the Greek Œcumenical Patriarchate, I have the honour to transmit herewith to your Lordship translation of the official "teskéré," drawn up after a sitting of the Council of Ministers, and issued by the Grand Vizier on the 13th, reaching the Patriarchate on the 14th, giving the decision of the Imperial Government on the several points in dispute. The concessions contained in this document should be of a nature to satisfy the Greek Patriarchate, and to clearly render no longer necessary the action reported by M. Stavrides as imminent, in conformity with the Resolutions of the Council of the Greek Patriarchate to exert pressure on the Turkish Government by the closing of the churches in the capital and the provinces that are dependent upon the Phanar.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

(Inclosure).—*Claims of the Greek Patriarchate and the Decision of the Imperial Government on the Ecclesiastical Privileges.*

(Translation.)

First Claim.—That since questions of marriage and divorce belong to the Patriarchate, the sentences given by the latter in alimony and dowry cases which spring from marriage shall be executed, as in the past, by the judicial authorities.

Decision.—Cases of claim for alimony and dowry springing from marriage and divorce have always been settled by the Patriarchate at Constantinople, and by the Metropolitans in the provinces. This ancient custom shall also be respected in the future, and the decisions or sentences for fixing the amount of alimony to be paid, given either by the Patriarchate or the Metropolitans, shall be put in force, as in the past, by the executive authority, as long as the person condemned to pay the pension raises no objection.

If, however, at the time of execution such persons should object to the amount fixed, and declare their inability to pay the same, the question which forms the principal object of the litigation, the examination of such claim shall in future be referred to the Patriarchate.

The final decisions of the Patriarchate on the subject, either altering or confirming their previous decision, shall be put in force by the executive authority, in spite of any further claim or objection that may be lodged, and action shall be taken exactly as in the case of any other debtor.

The same procedure shall be followed in dowry cases, which shall be tried according to Article 3 of the Regulations on the powers of the "Mixed Council."

Instructions will consequently be sent to the ordinary Courts to conform to this rule. The "Chéri" Courts shall also be informed.

Second Claim.—Since the act of making a will is a religious act, wills should be drawn up in conformity with religious laws, and cases arising therefrom should be tried on the basis of these same laws by the Patriarchal and Metropolitan Councils.

Decision.—As the result of information obtained, it is found that there exists no uniform rule on the subject. Thus, in some countries, if a person has less than four children, he can bequeath the half of his fortune to third parties; if he has four or more, he can dispose of the third. On the same system, in Germany a man can dispose of three-fourths of his fortune; in Austria, of the half. In France and Roumania a man who has one child can dispose of half; if he has two, of a third; and if he has three or more, of a

fourth. In short, in every country the laws of wills are subject to the laws of the State. Similarly, in Turkey a man can dispose of only a third of his property for charitable works. Consequently, this principle cannot be modified. Nevertheless, the power of bequeathing to one's heirs, or to third parties, more than a third of one's movable property and immovable "mulk" is exercised in conformity with the usage laid down by the official Ordinances issued in 1278 on the subject of successions of Christians, and the 12th Article of the "Patriarchal Regulations."

The restriction "after verification and approval" contained in these official Ordinances has been inserted in order to take note of the recognition by the Patriarch, the Metropolitan, the Bishop, or their representatives, of the validity of the tenour of the act. As for the procedure in vogue for the trial of will cases, such cases, if they belong to successions which, for reasons assigned, must be inventoried by the "Chéri," are tried by the "Chéri" Courts; if they relate to the "Evkaf" laws, the land laws, or other civil laws, they are tried by the competent Tribunals. In these two cases, wills having to do with movable property, immovable "mulks," and "Mukataali Evkaf," drawn up according to custom, registered and authenticated by the Patriarchate or Metropolitans, shall be recognized as valid by all the Tribunals. In case the heirs of the testator should be of age, and he should have made a bequest for charitable works, the cases or lawsuits which may result therefrom shall be tried by the Patriarchate. This procedure shall be equally respected in the future.

Third Claim.—The supervision and administration of private schools being confided to the spiritual chiefs, the choice and nomination of the professors and schoolmistresses, as well as the drawing up of the programmes, are within the powers of the Councils depending on these chiefs. Consequently, the orders of the Imperial Government concerning these schools ought to be communicated through the same spiritual chiefs, and any information required should be obtained through the same channels.

Decision.—Since the Imperial Government has the right to control the programmes of private schools, and to see whether the professors are provided with diplomas, and since the supervision and administration of Greek schools belong to the Patriarchate and the Metropolitans, the Inspectors of Public Instruction, and, in the provinces where they do not exist, the Directors of Public Instruction, shall have to see after the diplomas of the professors and the school programmes.

Thus, they will have to examine the diplomas with which the professors ought to be provided, or the certificates of ability and

good character given by the Patriarchate or the Metropolitans. If among these professors there should be found any without diplomas or certificates, and if, on inspection, it is found that matter outside the approved programmes is being taught, the Minister of Public Instruction at Constantinople and the local authorities in the provinces shall put themselves in communication with the Patriarchate or the Metropolitans, as the case may be, and shall have the programmes rectified, and the professors without such certificates replaced by others.

Fourth Claim.—This claim refers to the taking of the oath by priests, and the exceptional procedure to be followed for their arrest and trial in penal matters.

Decision.—Ever since the Code on Criminal Procedure came into vogue, the immunity of the clergy, summoned to give evidence in criminal matters, from taking the oath like ordinary laymen, constitutes a serious impediment to the course of justice, and, in view of the necessity of speedy dispatch in judicial affairs, it shall be proceeded in accordance with the legal enactment issued for administering the oath to priests in civil or criminal cases, according to their religion, before the Patriarchate or the Metropolitanate to which they belong.

As for their arrest and trial, they shall be detained, in cases of debt, as in the past, at the Patriarchate or at their Metropolitanates.

As regards their interrogatory and sending forward for trial before the ordinary Tribunals, monks and priests in penal cases shall be treated as follows:—

Summonses issued by examining Magistrates and the Tribunals shall be notified to them—at Constantinople through the Patriarchate, and in the provinces through the Metropolitans and the Bishops, who, immediately on receipt of them, shall be obliged to hand over the priests accused to the authorities. If they fail to do so, or if the priest summoned does not appear, the ordinary legal action shall be taken to make him appear. Until proved guilty and condemned, priests shall not be detained in the ordinary prisons, but shall be kept in a room in the Government buildings, suitable to their rank, that is, in a place reserved for people of distinction. If his guilt is recognized, and if it is found that the case is one of transgression or misdemeanour, since in such cases his sacerdotal character cannot be taken away from the condemned, he shall undergo his imprisonment at the Patriarchate or at his Metropolitanate.

If he is under a criminal accusation, he shall be detained and interrogated in a special room in the Government buildings until

his crime is proved and judgment pronounced ; after which he shall be deprived of his sacerdotal character, and he shall go through his sentence in the ordinary prison.

In case where, in consequence of disorder, a state of siege is proclaimed in any part of the Empire, the authors of the crimes committed in such district, being amenable to courts-martial, without any distinction, until the causes for such régime shall have disappeared, these courts-martial shall have to conform themselves, as regards arresting and imprisoning monks and priests, to the rule indicated above.

Sir W. White to the Marquess of Salisbury.—(Received October 31.)

MY LORD,

Therapia, October 20, 1890

ON the 27th ultimo, with my despatch of same date, I had the honour to forward to your Lordship English translations of various documents relating to the conflict between the Œcumenical Patriarchate on the question of its ancient privileges and the Sublime Porte.

I subsequently sent your Lordship, with my despatch of the 11th instant, a translation of certain Resolutions passed at the Phanar, from which it was evident that it was in contemplation to close the churches to public worship should the Patriarchal demands be refused by the Sublime Porte.

On Sunday, the 12th instant, the Council of Ministers sat at the Porte and prepared a formal "teskére" defining and embodying all the privileges which were to be enjoyed in future by the Eastern Church in the Ottoman Empire. This "teskére," prepared on the 13th, reached the Patriarchate on Tuesday, the 14th instant, and a translation of it accompanies my despatch to your Lordship of the 15th instant.

Many persons considered the conflict as closed by these concessions of the Ottoman Government, or at any rate imagined that the ground had been broken for a basis supplying a favourable opportunity for a completely satisfactory arrangement.

There was, therefore, general surprise when the outside world learnt that orders had been issued on the 15th from the Œcumenical Patriarchate at Constantinople closing all places under its jurisdiction to public worship, the administrations of the Liturgy and of the Sacraments.

The churches have been actually closed since Wednesday, the 16th, and have continued so on Sunday, the 19th, and since.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

Sir W. White to the Marquess of Salisbury.—(Received October 31.)

(Extract.)

Therapia, October 27, 1890.

FROM my previous reports your Lordship will have seen both the nature of the Patriarchal Greek conflict with the Ottoman Government, and the form it had assumed at the last moment when the Porte had formulated and inclosed to the Œcumenical Patriarch the large concessions it was willing to make.

There is up to this moment no report of any breach of the peace anywhere.

The Marquess of Salisbury.

W. WHITE.

Consul Biliotti to the Marquess of Salisbury.—(Received November 1.)

(Telegraphic.)

Canca, Crete, November 1, 1890.

THE Greek Orthodox churches have been closed in consequence of orders received yesterday from the Patriarch.

A notice has just been issued by the Vali, stating that, as is well known, the small incident which has induced the Patriarch to adopt that measure is on the point of being settled amicably, and that the inhabitants of Crete are, as hitherto, free to perform their religious service, perfect religious liberty having been enjoyed in the Empire at all times.

The Marquess of Salisbury to Sir W. White.

(Telegraphic.)

Foreign Office, November 5, 1890.

I SHALL be glad to receive a Report on the present position of the quarrel between the Greek Patriarch and the Porte.

What do you hear from the Grand Vizier on the subject?

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, November 14.)

SIR,

Salonica, November 3, 1890.

I HAVE the honour to report to your Excellency that the Greek Archbishop of Salonica issued yesterday evening a Circular letter to the Bishops and parish priests in his diocese directing them, by order of the Œcumenical Patriarch, to close the churches, and I now learn that the churches in the other dioceses in Macedonia have also been closed.

I am assured that the Archbishop of Salonica considers this order of the Patriarch unadvisable and of doubtful expediency; he

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thinks it will involve the Eastern Church in further serious difficulties with the Porte, and develop changes and chances likely to advance the Bulgarian and Roman Catholic "Uniate" Church movements in Macedonia.

As some indication of his dislike of the measure in question, I may state that while the other Archbishops in the Vilayet of Salonica have closed the churches in their respective dioceses immediately the Patriarch's order reached them—on or about the 22nd of last month—he demurred on the ground that the order was not sufficiently explicit and definite; and it was only yesterday evening, after the receipt of a peremptory telegram from the Patriarchate, that he decided to obey.

He has, however, authorized his clergy to continue to celebrate marriages and baptisms in private houses, and to officiate at burials without their canonicals.

So far this crisis in the affairs of the Greek Patriarchate of Constantinople does not appear to cause any serious excitement or perturbation in the Greek community in Macedonia; and I should add that from all I hear from well-informed sources the people have no great sympathy with the action of the Patriarch, as they understand that his efforts are in fact directed against the establishment of the Bulgarian National Church in Macedonia, which they generally accept as a *fait accompli*.

Sir W. White.

I have, &c.,

J. E. BLUNT.

Sir W. White to the Marquess of Salisbury.—(Received November 14.)

MY LORD,

Constantinople, November 6, 1890.

WITH regard to your Lordship's telegraphic inquiries, dated yesterday evening, on the subject of the present position of the Patriarchal quarrel, I have the honour to report what follows.

It is as yet quite impossible for an outsider to form any correct opinion of the motives which induced the Patriarchal Council—consisting of ecclesiastical and lay members, and directing affairs since the resignation of his Beatitude Dionysios V—to adopt this strange new plan of campaign, by which the members of the Greek Church in this capital are deprived of the advantages derived from being able to assist at public worship.

The order to that effect was issued by the above-named Patriarchal Council on the 15th October (N.S.), as reported by me in my despatch of the 20th October.

At first, however, it was only enforced in the churches situated in twenty Eparchies or Dioceses out of forty to which it had been addressed, but I hear that the places of worship in the Island of

Crete and those in the town of Salonica have been closed within the last few days.

It does not appear that this measure has so far produced any unusual excitement or disturbance anywhere; in some places many of the people are said to have supposed that it was the Turks who were thus forcibly interfering with the free exercise of their religion. There appear to have been a few instances in which the people have compelled their priests to open their churches, and thus enable them to pray in them, and a case of this kind occurred here in the suburb of Galata, where the natives of Cephalonia obtained forcible admission to their church on the feast of the patron saint of that island, and, having recited their prayers, withdrew quietly from the church, which was closed again.

The Turkish police does not appear to have interfered anywhere, and indeed the Grand Vizier and his colleagues maintain that they are by no means concerned in this quarrel; that they have restored on the 13th October all the important privileges which the Patriarchate enjoyed, and they have gone in this as far as they could possibly go; that they are prepared to explain, and to a certain extent complete, the provisions of the Decree issued on that day, and that the measure affecting public worship adopted by the Patriarchal Council is one of quite an internal nature, which does not in any way regard or concern the Turks or their Government, but purely and entirely the members of the Eastern Greek Church.

As to interfering with the Bulgarian Church, this the Porte positively declines to do.

The Grand Vizier takes his stand on the Imperial Firman issued by Abdul Aziz on the 8th Zilhidjé, 1286 (^{10th}/_{2nd} March, 1870), by which the Exarchate was constituted, and, when asked by the Greeks to pledge the Imperial Government not to issue any more Berats to Bulgarian Bishops in future, His Highness Kiamil Pasha has replied that this would be a distinct violation of the last paragraph of Article 9 of the above-quoted Firman, and I hear that this, his answer, has received the Sultan's approbation.

It would appear difficult for any large body constituting a Christian Church to allow itself to be deprived of public worship by the act of their own Superior Council, but it is impossible to say how long this state may last or how it will end. I shall not fail to keep your Lordship informed of whatever I hear or of what may come under my observation.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

Sir W. White to the Marquess of Salisbury.—(Received November 14.)

MY LORD,

Constantinople, November 8, 1890.

YESTERDAY being the Festival of St. Demetrius, which is celebrated in the Eastern Church with considerable solemnity, and with the attendance of larger congregations than usual, it might have been feared that the closing of the churches might have given occasion to some cause for disturbance, but nothing of the kind appears to have happened anywhere.

I have even been told, although I have not been able to test the accuracy of this statement, that one of the churches in the suburbs of Constantinople had to be opened for worship, and thus far the orders of the Patriarchate had to be disobeyed on that day in deference to the pressing demands of the congregation.

From all I hear, the description given your Lordship from Salonica by Mr. Consul-General Blunt in his despatch of the 3rd instant, particularly in the last portion of it, appears to correspond to the state of things existing in many other portions of this country, not only in Macedonia.

Indeed, the opinion appears to be gaining ground that the whole of this movement is directed from Constantinople.

The Grand Vizier, to whom I have addressed inquiries this morning, says he is confident that it cannot last very much longer.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE

Mr. O'Connor to the Marquess of Salisbury.—(Received November 14.)

MY LORD,

Sophia, November 9, 1890.

THE members of the Holy Synod now sitting in session in this capital, and comprising the Metropolitans of Rustchuk, Varna, Wratza, and Samakoff, presented an Address to the Prince yesterday, copy of which, as also of His Royal Highness' reply, I have the honour to inclose herewith to your Lordship.

They were received in solemn audience by Prince Ferdinand in such an official manner as to publicly proclaim the reconciliation that has taken place between them and the Bulgarian Government.

For upwards of four years, as your Lordship is aware, the Holy Synod has been in conflict with the Government, and in opposition both to M. Stamboloff and to the present régime. Prayers were forbidden to be said in many of the churches for His Royal Highness, and some of the more important Archbishoprics in the country were left vacant owing to the dissensions between the Synod and the Government. That this lamentable state of things has at length

come to an end is due primarily to M. Stamboloff's success in obtaining Berats for the Bulgarian Bishops in Macedonia, and in no slight degree also to the tact displayed by His Royal Highness and M. Stamboloff in dealing with the recalcitrant Metropolitans during the last twelve months. The friendly relations now happily established can scarcely fail to add considerably to the popularity and stability of the Government.

I have, &c.,

The Marquess of Salisbury.

N. R. O'CONOR.

(Inclosure 1.)—Speech of Mgr. Grégoire.

MONSEIGNEUR,

Le Saint Synode, investi de la divine mission de s'occuper du bien de la Sainte Église Orthodoxe Bulgare, considère comme un devoir, en inaugurant ses séances dans la capitale Princière, de se présenter devant votre Altesse Royale et de lui offrir ses hommages et ses vœux.

Le Saint Synode profite de cette circonstance pour exprimer sa conviction profonde que votre Altesse Royale, ainsi que son Gouvernement, daigneront lui apporter le concours nécessaire pour décider des questions importantes qui concernent la réglementation de notre Église, questions qui, depuis nombre d'années, sont restées en suspens.

Animé de cet espoir le Saint Synode prie le Dieu Tout-Puissant d'accorder à votre Altesse Royale santé et longue vie.

(Inclosure 2.)—Reply of Prince Ferdinand.

MONSEIGNEUR,

Nous sommes heureux de voir dans notre capitale les membres du Très Saint Synode réunis dans le but de travailler au maintien et au perfectionnement des lois de la Sainte Église Orthodoxe Bulgare.

Nous avons eu toujours à cœur de favoriser la bonne direction et l'ordre des affaires de notre Église Nationale, et nous ferons, avec notre Gouvernement, tout ce qui dépendra de nous pour atteindre ce but.

Les hommages et les vœux que vous nous exprimez au nom du Saint Synode Bulgare nous touchent profondément. Nous y voyons une garantie de l'aide que les Saints Pères de l'Église Bulgare nous apporteront dans les efforts que nous consacrons journellement au bien-être et au progrès de notre peuple bien aimé.

Consul-General Blunt to the Marquess of Salisbury.—(Received November 17.)

MY LORD,

Salonica, November 9, 1890.

WITH reference to my despatch of the 27th September, in answer to Sir Philip Currie's despatch of the 12th August last, I have the honour to transmit herewith a copy of a further Report from Mr. Vice-Consul Shipley relative to the outrages alleged to have been perpetrated by the Turkish authorities in Sciatista and other districts in Southern Macedonia.

It is evident from the information personally procured by careful inquiries on the spot by Mr. Shipley, that Fethi Effendi, late Mudir of Sciatista, cruelly ill-treated a number of Christians in that district, and that, although the Kaïmakam of Lapsista, the Mudir's immediate superior, appears to have taken prompt action in the matter, the Vali of Monastir, Faïk Pasha, has inflicted no punishment on the accused, but merely transferred him in the same capacity to Diskata, a place in the immediate vicinity of the Greek frontier, and which is entirely inhabited by Christians.

The appointment, especially at the present moment, of a man of such bad antecedents to this post, will, I fear, be resented as an outrage by the Greeks on both sides of the frontier.

It is now a general complaint on the part of all classes of the inhabitants, Turks and Christians, that when they bring grave charges against their Kaïmakams and Mudirs, or other subordinate officials, no sustained serious action is taken by the Provincial Administration or by the Porte to fully inquire into and adequately deal with them; the charges are either hushed up, or, as is more frequently the case, the incriminated official is transferred to some other district in the province.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

(Inclosure.)—Vice-Consul Shipley to Consul-General Blunt.

SIR,

Monastir, October 27, 1890.

WITH reference to my despatch of the 25th August last on the subject of the atrocities alleged to have been committed by the Turkish authorities at Sciatista and other places in Southern Macedonia, I have the honour to report to you that, in view of the difficulty of obtaining full and accurate information on the subject at Monastir, I decided to visit the district in question in person, which I accordingly did in the early part of September last, with the result which I have now the honour to lay before you. I may perhaps be allowed to add that I had the less hesitation in adopting

the above course, as an opportunity presented itself of performing the journey as far as Sciatista, in company with my Servian and Greek colleagues, Messrs. Body and Fontanas, the latter gentlemen having previously projected a visit to Blatzi, a small town some few hours further on.

With regard to Fethi Effendi, the late Mudir of Sciatista, the result of my inquiries would, I regret to say, lead me to believe that the charges, with the exception of the bayonet incident, are substantially true. It appears that on the 24th and 25th May last, Fethi Effendi, having previously procured a reinforcement of soldiers from Lapsista, the administrative centre of his district, caused some fifty of the inhabitants of Sciatista to be arrested in batches of four and five on the charge, ostensibly, of connivance with brigandage, and, instead of confining them in the ordinary prison, had them conveyed to a monastery called Tcherushina, about half-an-hour's distance from the town. Here they were subjected to further indignities, some fifteen of them undergoing personal ill-treatment by the express order of Fethi Effendi himself, the remainder being saved by the intercession of the "Igoumen," or Prior of the monastery. The majority of the prisoners were, it appears, then liberated, one or two only, and not twenty, as stated in the "Daily News," being sent bound to Serfidjé. The report, I should add, that a similar outrage had also occurred at the latter place I found to be devoid of foundation.

Far worse treatment, however, than the above, and for which I could find no justification whatever, was undergone by a certain Nicholas Despos, a leather-dresser, of Sciatista. This individual, some few days after the occurrences above related, was seized by order of Fethi Effendi, and conveyed to a private house, which, it appears, was occasionally occupied by the latter. Thence, my informants stated, he was taken at an early hour in the morning of the 5th or the 6th June last, under a guard of soldiers, to an open place outside the town, and subjected to so severe a beating as to have entirely lost consciousness, in which state, it appears, he was taken back again to the house from which he had been brought, and left there to the care of the people in charge. Immediately upon these proceedings becoming known all shops in the town were closed, and a telegram dispatched to the Kaïmakam of Lapsista, reporting what had taken place, and urgently entreating him to come in person to Sciatista and hold an inquiry into the action of his subordinate. This request was acceded to by the Kaïmakam, who arrived at Sciatista the same evening, and at once satisfied himself by a personal inspection of Despos' condition as to the truth of what the townspeople had alleged.

The day following the Kaïmakam, in response to the repeated

demands of the inhabitants, consented to dispatch two telegrams, one to Kemal Pasha, the Mutessarif of Serfidjé, and one to Faik Pasha, the Governor-General of the vilayet, recommending the suspension of Fethi Effendi, pending an official inquiry. A reply authorizing the above course was received the same day from Monastir, and Fethi Effendi accordingly left for Lapsista. The latter, as a result of the official inquiry held some five days later, was transferred to Ventcha, as already reported in my despatch above referred to, whence he has, I learn, again been transferred to Diskata, a small town not far from Glassona.

The above are the main details of the affair as related to me at Sciatista during a stay which extended over the greater part of two days, and I may add that, if I do not give the names of my informants, it is because almost every one with whom I came into contact made substantially the same statement, professing at the same time their willingness to repeat it if required. With Despos himself I was unable to obtain an interview, as he had some time previously been removed to Thessaly to undergo a course of medical treatment at the baths there. His condition, nevertheless, would appear to have been pitiable in the extreme, and, though I have no wish to overstate the case as against Fethi Effendi, I am bound to point out that the cruelty of the proceeding is enhanced by the fact that the latter, as at Tcherushina, was present in person at the beating. It was, moreover, universally attested that the ill-usage of Despos by Fethi Effendi was due solely to reasons in the highest degree discreditable to the latter, an account which, I may add, was borne out by the wife of the unfortunate man himself.

With regard to the arrests in the Anaselitza district, the account given in the "Daily News" was, I found, as far as the number was concerned, substantially correct, some 200 persons having at one time or other been under detention at Lapsista during the month of June last on the charge of refusing to give information as to the whereabouts of brigands. In this case, however, I am glad to say the authorities appear to have acted from a sense of duty only, and from a determination to stamp out brigandage at all costs; as, even from those who were loudest in their denunciation of Fethi Effendi, I could obtain no confirmation of the charge that the prisoners had been ill-treated, still less that an attempt had been made to extract money from them by torture. The complaint here appeared to be that, in effecting the arrests above referred to, sufficient discrimination had not been made use of by the authorities; it was, however, admitted that their action had had a salutary effect as far as the public security of the province was concerned. The greater part of these prisoners have since been released; my Austrian colleague, however, who has recently passed through the district, informs me

that there are still some fifty or sixty persons under detention pending further inquiries.

Before concluding my Report, it is due to the authorities generally in the Serfidjé Sandjak to state that the case of Fethi Effendi was, I found, entirely an exception, and that the people in the districts through which I passed enjoyed a far greater measure of liberty and well-being than I had been led to expect. I venture to speak with the greater certainty on the subject, as two whole days of my stay were passed entirely in the country, and, being acquainted with the language of the people, I was, of course, able to converse with them unrestrictedly. The fact, nevertheless, that an abuse of authority, such as I have above recorded, should have been possible, cannot be regarded otherwise than as a grave defect in the Turkish administrative system, and, indeed, I found it a subject of general complaint among the people that, in case of wrong-doing, there was no means of appeal except from one official to another, and if, as sometimes happened, the latter was the former's friend, the appeal remained practically without effect. In this respect, the presence of a Consular Agent at Kozana or some other central point in the sandjak would be of great benefit to the population generally, and though there are, no doubt, many difficulties in the way of making such an appointment, it is, I venture to think, well worthy of being taken into consideration.

On the political aspect of the question, though closely bound up with the well-being of the inhabitants of the sandjak, I do not venture to offer any observations, as my stay in the district (some five or six days only) was too short to enable me to form a definite opinion. Even to the most superficial observer, however, it could not fail to be evident that in a district in such close proximity to the frontier, and in which the dominant element is undoubtedly Greek, the want of an arrangement between the two Governments for the extradition of criminals, directly tending, as it does, to favour the existence of brigandage, is a continual source of friction between the population and the authorities. The latter, as matters stand, cannot altogether be blamed for the severity of the precautionary measures which they may from time to time feel called upon to adopt in order to suppress the evil, and of which the arrests in Anaselitza are an instance in point. In the meantime, there can be no doubt that the absence of a Treaty such as I have alluded to entails upon the peasants who, as a class, are least able to bear it, an amount of hardship which is, for the most part, entirely undeserved.

I have, &c.,

Consul-General Blunt.

H. S. SHIPLEY.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, November 24.)

SIR,

Salonica, November 13, 1890.

WITH reference to my despatch of the 3rd instant, I have the honour to inclose herewith, for the information of your Excellency, a copy of a Report from Mr. Vice-Consul Capety relative to the closing of the Greek churches in the Sandjak of Serres.

I also inclose a translation, by Mr. Assistant Monahan, of a Proclamation issued by the Vali of Salonica, Galib Pasha, in which he repudiates all responsibility on the part of the Sultan's Government for the fact that the Greek priests in the Diocese of Salonica and elsewhere have ceased to perform divine service in their churches, and declares that His Majesty continues to grant to all his Christian subjects the complete religious liberty they have always hitherto enjoyed.

. The Pasha told me, the day before yesterday, that according to the most recent reports which he has received from the provincial authorities in the interior the closing of the churches has, so far, not given rise to any disturbances on the part of the Greek inhabitants, and that in some districts the people appear to question the right of the Patriarch to take such an extreme measure.

In the town of Drama, for instance, the Bishop's mandate met with opposition from some of the leading members of the local Greek community, and it was only on the 8th instant that the churches were closed. I have also heard from unofficial sources that several churches in the districts of Vodina, Giumentja, and Doiran have not yet been closed, owing to the unwillingness of that portion of the Bulgarian population that recognizes the supremacy of the Greek Patriarch to obey his order. Even in some of the villages in the immediate vicinity of Salonica the Greek priests, under strong pressure from the peasants, continue to perform divine service in their churches.*

It is, moreover, rumoured that the Vlach communities in the Vilayets of Monastir and Janina criticize in no favourable terms the Patriarch's attitude in his conflict with the Porte.

If these reports are well founded, we may see before long a considerable accession of Greco-Bulgarians, and even of Vlachs, to the Bulgarian Exarchate.

From all I hear and observe the more sensible and moderate among the Christians consider the Patriarch's present policy as not at all expedient or defensible on religious and moral grounds. It is

* This is the case in the villages of Laina, Aivat, Kiretch-Kioi, and Kapoodjilar, all situate about five to six miles from Salonica.

chiefly the Pan-Hellenic party, recruited from native Greeks who have been educated in Greece proper, who approve and support it, under the impression, and with the ardent hope, that it will embarrass the Porte and force it to make such concessions in regard to the Berat question as will arrest the Bulgarian national movement in Macedonia, the steadily advancing progress of which excites their envy and jealousy. These sentiments are expressed in the recent articles published in the local Greek newspaper.

Although so far this crisis, I am happy to say, has not been attended by any disorder, still, if it lasts much longer, its effects will be felt in every homestead in the country, and may be availed of by designing agitators during the approaching Greek festivals for disturbing the public peace.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—*Vice-Consul Capety to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL,

Serres, le 5 Novembre, 1890.

A CAUSE de la démission du Patriarche Orthodoxe Denis V, du Saint-Synode, du Conseil Permanent Mixte, et de la suspension du fonctionnement des églises Orthodoxes de Constantinople, les Métropolitains de Serres, Zichna, Nevrocope, et Eleutheropolis ont dû aussi suspendre la liturgie dans leurs diocèses respectifs, et depuis deux semaines les églises sont fermées, toute cérémonie religieuse a cessé, et les enterrements se font sans la moindre pompe.

Ces mesures ont produit une impression pénible chez les ouailles et il est à souhaiter que la crise ne se prolonge.

Pour le moment on est consterné, et quoique tranquille, on est mécontent. La prolongation de l'état actuel en augmentant le mécontentement pourrait provoquer des embarras.

J'ai, &c.,

Consul-General Blunt.

CONSTN. CAPETY.

(Inclosure 2.)—*Proclamation by the Vali of Salonica.—Salonica, November 10, 1890.*

(Translation.)

THE Greek Patriarch of Constantinople, having resigned, has thought fit not to renew this year his permission to his priests to perform divine service in their churches.

Consequently the priests, as is well known, have ceased to officiate in the churches in our city, as in Constantinople and in other places. Malicious persons have attributed this fact to an order of the Imperial Government, and have spread unfounded reports to this effect. The Imperial Government has issued no such prohibition, and His Majesty the Sultan continues to grant to

his subjects of all sects the complete religious liberty which they have always enjoyed. All Christians are therefore free to worship in their churches as hitherto, and we officially contradict by the present all rumours to the contrary.

Salonica, November 10, 1890.

*Consul Biliotti to the Marquess of Salisbury.—(Received
November 25.)*

MY LORD,

Canea, Crete, November 11, 1890.

WITH reference to my telegram of the 1st instant, I have the honour to report that yesterday about 200 Christians repaired to the Episcopal Palace at Canea, and asked for information with regard to the pending question of the Patriarchate, as Christians are prevented meanwhile from performing their religious duties. The Bishop having answered that he was not able to give information on the subject a Committee of ten members was appointed, five of whom were deputed to Djevad Pasha. They told his Excellency that he mentioned, in his official Notification, that the question concerning the Greek Orthodox Church was about to be settled amicably, but seeing with regret that time was elapsing without result, the Christian population begged him to submit to the Sultan that they could remain no longer with their churches closed.

Djevad Pasha replied that he was told so by only five Christians, and that the question was not a religious but a political one, raised by M. Tricoupis. To this the deputation replied that if his Excellency wished, 1,000 or 2,000 Christians would appear before him to confirm their words; that they did not care whether the question was religious or political, and that all they wished to know was whether his Excellency would kindly submit their demand to the Sultan. Djevad Pasha having promised to do so, they retired quietly.

I heard from Candia, on the 10th instant, that the Christians there had addressed a Memorandum to the Governor, begging that the Porte would settle the difficulty with the Patriarch, so that the priests might officiate as before; and that last week a certain Mehmed Effendi Caraslanaki, a member of the Civil Tribunal, availing himself of the interruption of relations between the Turkish and the ecclesiastical authorities, was erecting a building, which he had not been hitherto allowed to do, in the churchyard of a ruined Greek Church in the town of Candia.

Mr. Vice-Consul Trifilli wrote, under the same date, that in consequence of an invitation from the Bishop of Rethymo, all the priests in that district repaired on Friday last to the town, and after

hearing the contents of the Patriarch's Circular, returned to their respective villages without making the slightest demonstration.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTI.

The Marquess of Salisbury to Sir W. White.

SIR,

Foreign Office, November 25, 1890.

YOUR Excellency has received from Her Majesty's Consul-Governor at Salonica a copy of his despatch of the 9th instant, forwarding a further Report by Mr. Vice-Consul Shipley respecting the outrages said to have been perpetrated by the Turkish authorities in Sciatista and other districts in Southern Macedonia.

From personal inquiry made by Mr. Shipley on the spot, it appears that Fethi Effendi, late Mudir of Sciatista, cruelly ill-treated a number of Christians, and in particular caused a leather-dresser of that place named Nicholas Despos to be subjected to so severe a flogging that he entirely lost consciousness.

I should wish you to make a strong representation to the Porte with regard to the conduct of Fethi Effendi, and the bad effect which must be produced if he is allowed to remain unpunished, and is merely transferred in the same capacity to another town inhabited entirely by Christians.

I am, &c.,

Sir W. White.

SALISBURY.

Sir E. Monson to the Marquess of Salisbury.—(Received November 27.)

MY LORD,

Athens, November 21, 1890.

I PAID a long visit to M. Deligeorges this morning, and was, on the whole, agreeably impressed by his manner and conversation.

He wished to reassure me as to M. Delyanni's pacific intentions, and stated that the new Government would not be less scrupulous in their observance of the duties imposed upon them by foreign obligations than their predecessors. They had, in particular, every wish to avoid disputes with the Ottoman Empire.

I, of course, expressed my satisfaction with these declarations.

M. Deligeorges then entered upon a lengthy review of the question between the Ottoman Government and the Œcumenical Patriarch, with the details of which I need not trouble your Lordship. His Excellency's point was, that in the interests of the Sultan himself it is desirable that the interdict under which all the Orthodox Churches are closed, and all the rites and offices of the Orthodox faith are suspended in His Imperial Majesty's dominions, should be

raised as soon as possible. His view is that the continuance of the present state of things will inspire the Orthodox Greeks, subjects of the Sultan, with the conviction that the Patriarch is powerless to protect their privileges, and that the moral influences of the Hellenic Government in support of the Patriarch is of no value whatever. A conviction of this kind will tend to the weakening of Turkey, and will at any rate be far more prejudicial than advantageous to her interests.

M. Deligeorges referred to the suggestion which had been made in several quarters that, as the Patriarch cannot canonically recognize the existence of duplicate Bishops in the dioceses under his jurisdiction, unless it is arranged that they are to be called schismatics, and to wear some distinctive attire, the Porte might propose, as a solution of the difficulty, that this question of the Berats should be left for the present as an open one, sufficient satisfaction being given to the Patriarch by a Firman recognizing all the traditional privileges of the Ecumenical Church.

I asked him whether he had sent any instructions to the Greek Minister in the sense of intervention, and he said most certainly not; and that the Greek Government would take no steps of the sort. M. Mavrocordato would confine himself to friendly observations as to the propriety of being conciliatory on both sides; anything further than this would be most inexpedient.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

Consul-General Blunt to the Marquess of Salisbury.—(Received November 28.)

MY LORD,

Salonica, November 17, 1890.

I HAVE the honour to report to your Lordship that, according to statements in the "Cossova Gazette" and to information obtained by me from private sources, the emigrants from Montenegro, who were settled in Servia, have for some time past been gradually returning to Montenegro, although the Servian Government is said to have offered them land and seed, and to have, in other ways, made efforts to induce them to remain.

It would seem to have been a serious mistake on the part of the Servian Government to have established these emigrants, as it did, in the vicinity of the Turkish frontier, as their presence there gave rise to cattle raids and other disorders to both sides of the border.

I have, &c.,

The Marquess of Salisbury.

J. E. BLUNT.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, December 1.)

SIR,

Salonica, November 22, 1890.

I HAVE the honour to transmit herewith a copy of a Report of Mr. Vice-Consul Blakeney, from which your Excellency will learn that the closing of the Greek Churches in Prevesa has been attended by public demonstrations which have given some umbrage to the local authorities.

With regard to the attitude of the Greeks in the Salonica Vilayet, it would show from all I hear and observe that the Patriarch's action, instead of producing disorders as was hoped in some and feared in other quarters, has evoked the disapproval and discontent of the people. They feel that the Patriarch's proceedings are bringing into prominence the fact that the authority of their Church has been weakened by the growing feeling of nationality which induces the Bulgarians in Macedonia to gravitate towards the Bulgarian Exarchate; and it is owing to this tendency that most of the Greek Bishops in the province sustain in a hesitating and lukewarm manner the policy of their spiritual Chief.

The Vali Galib Pasha told me this morning that the churches in most of the districts in his vilayet have not been closed, and that the priests are urged to perform divine service in them, by the antagonism of that portion of the Bulgarian population which has not severed its connection with the Greek Patriarch. His Excellency more particularly mentioned the following districts: Gevgheli, Yenidjé-Vardar, Vodina, Kiuprulu (Velès), Stroumnitza, Avret-Hissar, Demir-Hissar, Tikvesh, Petrich, and Djuma-bala.

In the town of Doiran the churches are closed, but not those in the villages of that district.

In Melnik, where there is a numerous Greek community, the churches were closed, but have since been opened on the 18th instant; and, as I reported in one of my previous despatches on the subject, the churches in some villages in the immediate vicinity of Salonica remain open. It is only in districts entirely inhabited by Greeks that the measure has been more completely carried out, but even there it has not met with universal approval. For instance, in the township of Panoni, in the Peninsula of Chalcidice, the churches were opened and divine service was celebrated on the 20th instant for the Feast of St. Michael.

I should add that Galib Pasha highly disapproves of the publication of the recent articles in the "*Pharos tes Makedonia*" against the Bulgarians, to which I referred in my despatch of the 13th instant, and has warned the editor that in case of such matter again appearing in the columns of his newspaper the penalty imposed by law will be inflicted.

I have, &c.,

Sir W. White.

J. E. BLUNT

(Inclosure).—*Vice-Consul Blakeney to Consul-General Blunt.*

SIR,

Prevesa, November 11, 1890.

I HAVE the honour to report that early on the 5th instant the Mutessarif invited the Elders of the town to the konak and told them that in consequence of certain differences between the Government and the Patriarchate the latter had ordered the closing of the churches, but that he trusted they would use their influence to prevent any breach of the peace, inasmuch as the Government never intended to interfere with the Christian worship, and, further, that he trusted the Sultan would bring matters to a satisfactory conclusion.

A Notice somewhat to that effect was posted up in several parts of the town.

On the following day, the 6th, the Bishop, who had arrived from the country the evening before, accompanied by all the priests in Prevesa, called on the Mutessarif and communicated to him his instructions in connection with the closing of the churches, and all the priests then left the konak and proceeded to the Cathedral—St. Caralambo—where they were subsequently joined by the Bishop. A short service was held, after which the latter, addressing the congregation, told them that as the Orthodox Church was persecuted the churches would be closed. One voice only was heard to cry, "Zeto the Patriarch!" but this was the expression of a single individual.

As the Bishop, acting under instructions, no doubt, had to retire to a monastery before evening the next day (7th), he entered the Church of St. Constantine, the churchyard being thronged with people, and once more addressed the people in most touching terms. Everybody present, including the Bishop, then knelt down and offered up a prayer to the Almighty for their Church, after which cries of "Zeto Orthodoxy!" and, I am told, "Zeto Russia!" were raised. The Bishop, who, instead of the head-gear worn by Bishops, wore a brown woollen cap usually worn by monks, then left the church and departed on horseback for the Monastery of St. Apostles, situated a few hours distant from Prevesa, all the Christians following him to a certain distance outside the town and several as far as the monastery.

I am told that outside the town cries of "Down with Italy!" were also raised.

My impression of the whole affair is that the Bishop should have avoided entering the Church of St. Constantine when he saw the crowd that was waiting for him. As to the local authorities, whose position must have been a very difficult one, they acted throughout with the greatest prudence and very wisely allowed the Christians to give free expression to their wounded feelings.

All the churches are now closed, and black crape is hung outside the closed doors.

As turbulent characters are everywhere to be found, the Mutessarif called the Mayor yesterday and told him that the military and other Mahommedans did not view with favour all that which took place on the 7th, and advised him to warn people to keep quiet, for on the contrary military law would be proclaimed.

As the Janina post has not come in yet, I cannot tell what took place there.

I have, &c.,

J. E. Blunt, Esq.

C. A. BLAKENEY.

Consul Biliotti to the Marquess of Salisbury.—(Received December 2.)

MY LORD,

Canea, Crete, November 25, 1890.

ON Sunday last the tolling of the Greek Cathedral bells called Christians to a meeting, which it was their intention to hold a few days since, concerning the pending ecclesiastical question. The Christians, many of whom keep their shops open even on Sunday, closed them, and a few who did not follow the general movement were called "Freemasons," a most injurious name in these parts. About 1,200 men having answered the call, they repaired to the Episcopal Palace, from whence they proceeded to the residence of the Governor, as the Bishop could give them no satisfactory answer to their inquiries. Not far from the Government Palace they met a squad of fifty soldiers with fixed bayonets. At this juncture the Colonel of Police arrived, having been called in haste from a picnic to which he had gone with Djavad Pasha, and engaged the manifestants to withdraw and appoint delegates to submit their demands to the Governor-General. The mob retired without offering the slightest resistance.

On his return from the country Djavad Pasha, who knew of the intended demonstration, and had given orders before his departure, ordered the arrest of a certain Loukaki, a merchant, as the principal leader, and of Vliithaki, a shoemaker, and Markoulaki, a publican, the two Christians who had called one or more of their co-religionists "Freemasons." Next day E. Benigelo, Spiridon Moazzo, C. Foumi, E. E. Papadero, Siridaki, lawyers, and C. Foumi, a merchant, were likewise imprisoned as being at the head of the movement.

These imprisonments were greatly resented by Christians, who again tolled the church bells for the purpose of coming to a decision with regard to the prisoners. Yesterday I called on Djavad Pasha in order to find out on what grounds these nine Christians were kept in prison. His Excellency told me that he had authorized meetings on the condition that no seditious language was held, and

that no crowds paraded the narrow streets of Canea, as a precaution against accidents, which might cause trouble if happening to a Mussulman, and that his last injunction not having been listened to, he wished to impress on the people that he would not allow them to have it their own way. I pointed out to his Excellency that after all, no accident having taken place, there was no real reason for continuing to keep the fore-mentioned Christians in prison, and that by so doing he only exposed himself to be called upon to release them, a demand which he would be compelled to refuse to comply with, although he admitted himself that there was no serious ground for prolonging their detention. I further pointed out to Djavad Pasha that the display of a public force with fixed bayonets during a quiet demonstration might have had most disastrous consequences if resistance had been offered by some hot-headed or drunken individual; that Christians being in a great minority in the town, nothing was to be feared from them here, while the Mussulman rabble, as I was assured, were ready to join the soldiers, and any harm done to a single Christian in the town would have been avenged on a large scale on the country Mussulmans. Djavad Pasha not having denied the truth of my statement, I gave him the friendly advice to immediately set at liberty the prisoners, whom he intended to release only the next day. While I was speaking a deputation was announced, and I awaited the result of their interview with the Pasha. He told me on his return that the delegates had behaved with becoming respect, merely asking that he should represent to his Government the inconvenience accruing to the population from the closing of the churches, and that he had promised to submit the fact to the Sultan, advising them at the same time to make a similar communication to the Patriarch. His Excellency having added that the behaviour of the deputies allowed him to be lenient, I repeated to him my suggestion to immediately set the prisoners at liberty without waiting for the morrow. He answered that he would consult his advisers, and let me know his decision before evening. On my return home I found a note from Djavad Pasha telling me that the prisoners had been released, and so in fact they had been half-an-hour after my interview with him.

The present incident, which was not without real danger, was luckily tided over, but Christians are daily getting more excited with regard to the ecclesiastical question, which gives them real annoyance, and towards which they cannot assume a different attitude to their co-religionists in other parts. There are complaints concerning the burial of the dead and the baptism of children, the latter being delayed until there is danger of death, and being performed without the usual ceremonies; but they can hardly put up with the non-solemnization of marriages. This is the season during which most

of the latter are performed, and they are especially common in years like the present, when the olive crop is abundant. The wisest among Christians say that they cannot submit without protesting by some public demonstration, as their silence might be taken as an acquiescence in the present state of things.

I understand that the object of the demonstration of Sunday last was to prove to Djavad Pasha that the delegates sent to him on a previous occasion (reference to my despatch of the 11th instant) had not merely assumed the title of representatives of the population, but were seriously to be considered as such. I am told that yesterday the Christian delegates pointed out the inopportune of the display on the previous day of a number of soldiers with fixed bayonets, and the serious consequences that might have resulted therefrom.

The Greek Consul-General having begged me of all his colleagues to use my influence with Djavad Pasha on behalf of the prisoners, a step which I would have taken in any case, I called on M. Gennadis after my interview with the Vali. I heard from him that he had seen Djavad Pasha shortly before me, and that, finding him in a perplexed state of mind, he had offered his intervention, which was accepted by the Vali on the condition that the deputation, which he knew was about to be sent to him (the same that came while I was at the Palace), should make no mention of the prisoners. This the Greek Consul managed to do by the appointment as delegates of appropriate men. My Greek colleague told me that he had not considered it opportune to speak in his interview with Djavad Pasha of the immediate release of the prisoners, but that he would again see him before evening and likewise make the suggestion, which in fact he did.

Meetings were held on the same day at Sphakia and Apokorona for the purpose of sending delegates here with the same object. At the meeting at Apokorona, which consisted of about 1,000 individuals, there was a disagreement between the mountaineers and the lowlanders, the former wishing to hold an armed meeting, but yielding at last to the opinion of the other party.

Mr. Vice-Consul Calocherino has reported to me that at a meeting which had taken place in Candia on the 16th instant delegates were appointed, who handed to the Governor a Petition praying for the maintenance of the privileges hitherto enjoyed by them, and for the opening of the churches; and that the Mutessarif had promised to send this document to the Vali.

I have heard from Vice-Consul Trifilli that meetings were also held in the districts of Amari and Ayos Vassilios on the 16th and 20th instant respectively, and that Petitions were drawn up and signed by all present to the address of Djavad Pasha, pointing out

the inconvenience to which Christians were subject, and begging for a prompt settlement of the ecclesiastical question.

I have, &c.,

The Marquess of Salisbury.

ALFRED BILIOTTL

Sir E. Monson to the Marquess of Salisbury.—(Received December 2.)

MY LORD,

Athens, November 26, 1890.

I SAW M. Delyanni this afternoon, and his Excellency stated to me that he is desirous of avoiding all complications which might disturb the peace of Europe.

He said that he hoped that the apprehensions which his accession to office had inspired abroad, and especially it would seem in England, were beginning to be dispelled, and that the assurances given both by himself and M. Deligeorges to the foreign Representatives had been accepted with the same sincerity with which they had been uttered.

I replied that in common with all my colleagues I had found M. Deligeorges' utterances very satisfactory, and that we all of us hoped that the new Government would pursue a policy in entire conformity with the language of the Foreign Minister.

M. Delyanni referred to the question of the Patriarchate and the dispute between the Porte and the Orthodox Church in very moderate terms, and said that the Hellenic Government had taken no part in the matter at issue, and was not disposed to meddle in it.

I told him that I thought his declaration on this point very satisfactory.

His Excellency's manner was very cordial throughout our interview, and on leaving him I said that I desired nothing better than to be on the most friendly relations with him; to which assurance he responded with professions of hearty reciprocity.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

Sir W. White to the Marquess of Salisbury.—(Received December 3.)

MY LORD,

Constantinople, November 28, 1890.

I HAVE had the honour to state, in my despatch of the 6th November, that the Grand Vizier and his colleagues were prepared to explain, and to a certain extent complete, the provisions of the Decree dated the 18th October, which was forwarded by me to your Lordship in my despatch of the 15th October.

I now have the honour to inclose copy of a Vizirial letter, addressed on the 18th November, 1806, to the Imperial Ministry of Public Worship, and communicated to the Œcumenical Patriarchate, treating of the various points in dispute, which has been handed to me officially.

We must await the results of the step now taken by the Sublime Porte, which I shall not fail immediately to report to your Lordship.

I have, &c.,

The Marquess of Salisbury.

W. A. WHITE.

(Inclosure.)—*Vizirial Letter, dated November 18, 1806.*

(Traduction.)

En réponse à la communication qui lui a été faite des décisions prises après délibération en Conseil des Ministres, sur l'instance du Patriarcat Œcumenique, concernant ses privilèges ecclésiastiques, sa Sainteté le Patriarche expose, dans un "takrir" transmis à la Sublime Porte par votre Excellence, qu'il existe des différences essentielles entre ses demandes et les Résolutions arrêtées.

D'après les explications verbales données par le Patriarcat, ces différences portent, en matière de pensions alimentaires, sur la non-perception de la partie adverse des frais occasionnés par l'emprisonnement des débiteurs détenus en exécution de décisions définitives rendues par le Patriarcat; en matière testamentaire, sur la non-inscription par les Tribunaux des biens meubles et immeubles légués par un orthodoxe, ses héritiers fussent-ils majeurs ou mineurs; en matière scolaire, sur l'approbation par le Patriarche ou les Métropolitains des programmes d'études et des diplômes des professeurs et des institutrices; et, enfin, sur la modification du costume des Evêques Bulgares et l'insertion de certaines dispositions dans leurs Bérats.

Le Conseil des Ministres, après avoir examiné ces questions, a rendu les décisions suivantes.

Comme il est juste de ne pas percevoir de la partie adverse des frais d'entretien pour les débiteurs emprisonnés en exécution des sentences définitives prononcées en matière de pensions alimentaires, une disposition spéciale sera ajoutée à ce sujet au Règlement sur l'exécution des Jugements.

Pour ce qui est des testaments, si un Chrétien ayant des héritiers, majeurs ou mineurs, laisse un testament confirmé par le Patriarche, un Métropolitain, ou un Evêque, cet acte sera reconnu valable par les Tribunaux, et les biens légués, tant meubles qu'immeubles, à l'exception des terres Émirié et des Vacoufs, seront remis au légataire sans qu'on y mette la main. Les contestations entre héritiers du chef de pareils testaments étant à Constantinople du

ressort du Conseil Mixte du Patriarcat, conformément à l'Article 3 du Règlement de ce Conseil, seront de même jugées dans les provinces par les Conseils Métropolitains et les sentences rendues mises à exécution par les bureaux exécutifs.

De même que les programmes scolaires sont dressés ou approuvés par le Patriarcat ou les sièges Métropolitains, et les diplômes et certificats des professeurs ou institutrices certifiés par ces autorités ecclésiastiques, il est nécessaire que le Gouvernement en ait aussi connaissance. Par conséquent, les cours des écoles seront inspectés par l'Inspecteur ou le Directeur de l'Instruction Publique, et s'il est constaté que l'on y enseigne des matières nuisibles, et que parmi les instituteurs ou institutrices il en existe de non-diplômés, les dites matières seront, après correspondance avec le Patriarcat ou les Métropolitains, interdits, et les professeurs et institutrices sans diplôme remplacées par leur entremise.

Quant au changement du costume des Métropolitains Bulgares les recommandations qui ont été déjà précédemment faites à ce sujet à sa Béatitudo l'Exarque Bulgare lui seront renouvelées.

La suspension depuis quelque temps des services religieux dans les églises provoque à l'heure qu'il est des plaintes des populations Grecque et Bulgare de la Roumélie contre le Patriarcat. Or, il est de notoriété publique que le Gouvernement Impérial ne s'est jamais départi de son attitude conservatrice et pleine d'équité à l'égard des prérogatives religieuses. Ainsi qu'il a été expliqué en détail dans la communication précédente ces prérogatives sont intégralement maintenues et restent en pleine vigueur, et des grandes facilités ont été accordées en ce qui concerne les affaires du Patriarcat et des Chefs religieux, qui dès lors doivent être confiants et rassurés, et, appréciant à leur haute valeur les concessions octroyées *ab antiquo* par le Gouvernement Impérial au Patriarcat, et confirmées par Sa Majesté Impériale le Sultan notre auguste Maître, se montrer satisfaits et reconnaissants.

Le Conseil a donc été d'avis d'inviter sa Sainteté le Patriarche, par l'entremise de votre Excellence, à reprendre l'exercice de ses fonctions, et faisant preuve de dévouement, à s'abstenir de tous actes de nature à froisser la conscience de la communauté Grecque, tels que la suspension du service divin dans les églises, et de tous autres faits contraires aux devoirs de fidélité entraînant sa responsabilité.

Un Iradé Impérial ayant sanctionné les décisions qui précèdent, votre Excellence voudra bien s'y conformer.

Foreign Office to Consul Biliotti.

SIR, *Foreign Office, December 4, 1890.*

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your despatch of the 25th ultimo, in which you give an account of a public meeting which was held at Canea with reference to the Greek ecclesiastical question.

The advice which you gave to his Excellency Djevad Pasha, as to the immediate liberation of those persons who were imprisoned on that occasion, is approved by his Lordship.

I have, &c.,

A. Biliotti, Esq.

P. CURRIE.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, December 9.)

SIR, *Salonica, December 1, 1890.*

I HAVE the honour to transmit herewith copies of two Reports from the British Vice-Consulate at Prevesa, relative to the action of the Turkish authorities in suppressing demonstrations made by the Greek communities of Prevesa and Janina in connection with the closing of their churches.

I have not yet received a Report from Mr. Vice-Consul Shipley with regard to this Church question, but have been informed by persons who arrived here yesterday from Monastir that the churches there and in most places of that vilayet have not been closed.

The situation in the Vilayet of Salonica remains unchanged since the date of my last Report on the subject; I have, however, just heard that the Greek community has prepared a loyal Address to the Sultan, which is being numerously signed, in which they refer to the anxiety and distress they experience from the non-settlement of the pending questions between the Patriarchate and his Government, and humbly pray His Majesty to take such action as will uphold the privileges conferred by his ancestors on the Greek Church.

A deputation composed of four of the leading members of the Archbishops' Council ("Demogherondia") will present the Address to Galib Pasha and beg his Excellency to forward it to His Majesty.

The small Greco-Vlach communities in Uscup and Kalkandelen in the Vilayet of Cossova have closed their two churches; but the Bulgarian inhabitants of those and all the other towns, as well as of the villages in that vilayet, continue to ignore the Patriarch's mandate.

In Comanova, in the above-mentioned vilayet, which also contains a Greco-Vlach community, there being only one church, two services were daily performed, the one by Bulgarian and the other by Greek priests. The latter, on receiving the Patriarch's order, closed the church and forwarded its keys to the Greek Archbishop of Uscup, when the Bulgarian Bishop Theodosius addressed a complaint to the Vali Ahmet Eyoub Pasha, who, after inquiring into the matter, caused the keys to be given up to the Bulgarian priests.

I have, &c.,

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—*Vice-Consul Blakeney to Consul-General Blunt.*

SIR,

Prevesa, November 18, 1890.

I HAVE the honour to report that the proceedings of the 7th instant have resulted in the arrest of six persons on Sunday last, the 13th, and the escape of a few more to the Greek side of the Gulf. The above-mentioned six individuals were sent to Janina very early on Saturday last.

According to accounts received from Mr. Kyprioti, the closing of the churches at Janina did not give rise to any breach of the peace.

I have, &c.,

J. E. Blunt, Esq.

C. A. BLAKENEY.

(Inclosure 2.)—*Mr. Kyprioti to Vice-Consul Blakeney.*

(Traduction.)

MONSIEUR,

Janina, le 16 Novembre. 1890.

J'AI l'honneur de vous informer que ce jour, depuis 9 heures du matin, la population Chrétienne commença à se réunir dans la cour de l'église Cathédrale de Janina, ce qui dura jusqu'à 11 heures avant midi, quand on y cria "Vive Sa Majesté le Sultan !" et se dirigeant vers la Préfecture, pour prier, à ce qu'on dit, le Gouverneur-Général pour expédier un télégramme à Sa Majesté le sollicitant d'ôter les motifs qui ont donné lieu à la démission du Patriarche, et rendre les privilèges dont l'Eglise jouissait jusqu'ici. Quand la foule avança jusqu'à un point de la route principale qui conduit à la Préfecture, se présenta la police et l'empêcha d'avancer. Dans cet entretemps arriva l'Alai Bey suivi de ses gendarmes et ordonna le monde à se disperser. Pourtant la foule avançait toujours. Alors des détachements de soldats arrivèrent et en fixant les baïonnettes dispersèrent les gens en les attaquant par des bourrades.

Aussi on a mis quelques personnes en arrestation dans la Préfecture.

J'ai, &c.,

C. A. Blakeney, Esq.

B. KYPRIOTI.

(Inclosure 3.)—*Acting Vice-Consul Conéménos to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL, *Prevesa, le 25 Novembre, 1890.*

J'AI l'honneur de vous informer que la semaine passée une vingtaine des Anciens de cette ville ont signé une Pétition à son Excellence le Vali de Janina en faveur des personnes qui furent arrêtées et conduites à Janina à la suite de la démonstration qui eut lieu pour les privilèges de l'Église Orthodoxe, dans laquelle ils exposent à son Excellence que la dite démonstration fut provoquée par beaucoup d'étrangers et par un esprit d'exaltation religieuse.

J'ai, &c.,

J. E. Blunt, Esq.

CÉSAR CONÉMÉNOS.

(Inclosure 4.)—*Acting Vice-Consul Conéménos to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL, *Prevesa, le 25 Novembre, 1890.*

J'AI l'honneur de porter à votre connaissance que Jeudi passé son Excellence le Mutesarrif reçut ordre du Vali de Janina de faire conduire à Janina M. Alexis Harissis, Conseiller de Justice de la Cour d'Assises et un des Anciens de la communauté Chrétienne de Prevesa.

M. Alexis Harissis est le beau-père de M. C. Tolia, l'un de ceux qui ont été arrêtés et conduits déjà à Janina à la suite de la démonstration qui a eu lieu ici, et il paraît que son arrestation a été motivée par la même cause.

On le conduisit à Janina Vendredi passé tout tranquillement et de manière à ne pas inquiéter sa famille, laquelle croyait qu'il s'y rendait de sa propre volonté, comme en effet il avait pris des dispositions de faire pour intervenir auprès de son Excellence le Vali en faveur de son gendre M. Tolia et les autres personnes arrêtées, prenant avec lui à cet effet la Pétition des Anciens à laquelle je fais allusion dans ma dernière dépêche.

Je dois ajouter que le susdit M. A. Harissis a été destitué comme Conseiller de la Cour d'Assises et remplacé par M. C. Mammatis, mais tant qu'il était encore à Prevesa on ne lui avait pas même annoncé sa destitution.

J'ai, &c.,

J. E. Blunt, Esq.

CÉSAR CONÉMÉNOS.

Sir E. Monson to the Marquess of Salisbury.—(Received December 11.)

(Telegraphic.)

Athens, December 11, 1890.

I HAVE this day been positively assured by M. Deligeorges that the Patriarch of Constantinople and the Greeks in Turkey have

never received, either from the late or the present Greek Government, any encouragement whatever in the dispute between the Orthodox Church and the Sultan's Government. Absolute abstention from this question has been impressed upon the Greek Minister at Constantinople, and the prevalent rumours as to a contrary attitude are entirely without foundation, as M. Delyanni and his colleagues are anxious to place the relations between Greece and Turkey on the most amicable footing.

I have sent this information to Sir W. White.

Consul-General Holmwood to Sir W. White.—(Received at the Foreign Office, December 12.)

SIR,

Smyrna, November 13, 1890.

I HAVE the honour to report that on Sunday last the whole of the Greek churches in this city were closed.

I learn, from a source that should be reliable, that about three weeks since orders were sent from the Patriarch at Constantinople to the various churches in Asia Minor and the Archipelago to carry out this measure simultaneously, but that the communications were stopped in transit by the Ottoman authorities.

Fresh orders were, however, promulgated by the Patriarch last week, and forwarded through the Greek Ambassador at Constantinople and the Greek Consul-General here, and the ecclesiastical authorities in the various islands at once closed their churches.

The Greek Archbishop of Smyrna, M. Vasylios, who is of Bulgarian birth, still hesitated, however, to carry out his instructions, and in this he was, I hear, strongly supported by the Russian Consul-General, who also endeavoured to persuade the Archbishop of Ephesus to disobey the Patriarch.

Considerable agitation having in the meantime arisen amongst the Greek community, M. Vasylios suddenly quitted Smyrna and went to Foggia. Last Friday a deputation of influential Greeks followed him there, and put such pressure on him that he eventually signed and handed to them an order to close the Smyrna churches.

He appears to have yielded to the demands of the Greek community under protest, and to have stated to the deputation that in doing so he was acting distinctly in opposition to the wishes of Russia.

The churches under the Archbishops of Magnesia and Ephesus have now also been closed.

A strong feeling against the Archbishop of Smyrna has arisen among the Greek community here, with whom he has never been a favourite.

The "Amatthia," the leading Greek journal of Smyrna, has recently done much to strengthen this dislike, by publishing a report of an interview alleged to have taken place between him and the Archbishop of Sophia, who recently visited this city, in connection with which incident it was hinted that M. Vasylios was a Bulgarian at heart.

The Russian Consul-General, I am told, has now threatened the editor of the "Amatthia" that, if he again publishes matter of a nature to stir up ill-feeling in connection with these pending questions, he will use his influence to get his journal suppressed.

In the meantime, it is impossible to say what may be the result of this measure in a city which, with its suburbs, numbers 120,000 members of the Greek Church—fully half the entire population.

A large proportion of the Smyrna Greeks are of the lowest class, and among them are probably a greater number of reckless adventurers than in any European city. Their notorious aptitude for intrigue is not reassuring at the present juncture, and, although there are no present signs of any disturbance, it is impossible to predict what dangers may occur if the closing of the churches continued long enough to cause serious inconvenience to this large community.

Under these circumstances, I regret the departure of our squadron under Admiral Lord Walter Kerr, which took place this morning, as the consequences of a rising of the Greek population here would be most serious for British trade.

I have reason to believe that the above is a fairly accurate account of what has taken place, and transmit it, without comment, for your Excellency's information.

I have, &c.,

Sir W. White.

FREDERIC HOLMWOOD.

Consul-General Holmwood to Sir W. White.—(Received at the Foreign Office, December 12.)

SIR,

Smyrna, November 27, 1890.

REFERRING to my despatch of the 13th instant, I have the honour to report that on Sunday last a demonstration was made by the Greek population of this city with the object of expressing their disapproval at the closing of their churches, and their hope that the Sultan would not delay his sanction to the measures demanded by their Patriarch for reinstating the Orthodox Church in the privileges which have recently been withdrawn from it.

The demonstration had been carefully organized by influential members of the Greek community, and every effort had been made

to avoid the danger which would have accompanied its degeneration into a mere mob.

The Governor-General also had interviewed the Provisional Committee which had been formed, and had obtained a promise from it that the Memorial which it had been decided to present to the Sultan should be submitted to his Excellency only by the recognized lay Representatives of the Greek Church. It was eventually decided that four members of the Central Committee and an equal number of the Committee of Elders should form the deputation, and on Saturday night these gentlemen waited on the Vali to learn whether he was willing to receive them, and whether he would give his consent publicly to their transmitting the Memorial to His Majesty by telegram.

In agreeing to their proposals, his Excellency laid stress on the importance of preventing the general crowd from accompanying the deputation to the konak, and both the Committee and the special Delegates gave an assurance that they would do all in their power to retain the assemblage at the Church of St. Photini, where they were to meet, and to insure their tranquil dispersion to their homes as soon as the Delegates returned with a favourable reply.

At 10 o'clock on Sunday morning fully 15,000 Greeks had assembled at the cathedral, and, after publicly reading out the telegram to the Sultan, the Committee proposed that the assembly should remain at the spot while the Delegates drove to the konak and returned with the Vali's reply.

The people, however, at once asserted themselves, and, refusing to allow the Delegates to enter the carriages which awaited them at the back of the Cathedral, they forced the deputation to proceed on foot, and accompanied them in a body. The Vali was warned by express messengers of what was occurring, and he wisely withdrew even the ordinary guard from the Palace, and retained all troops in the neighbouring barracks.

On finding the gates open to all comers, and all the approaches free from obstruction, the leading portion of the crowd entered the konak and accompanied the Delegates into the Palace, and even as far as the doors of its reception-rooms on the upper floor, the remainder completely filling the Palace yard, and the large inclosure in front of the barracks.

His Excellency, in receiving the deputation, upbraided them in a few words for not controlling the mob, but he frankly accepted their excuses, and, after perusing the telegram, expressed entire approval of its contents, and at once sanctioned its transmission to the Sublime Porte.

This calm and sensible action had the best effect on the crowd, which, on learning the result of the interview, quietly dispersed after

giving expression to their satisfaction in repeated cheers for the Sultan and their Patriarch.

The prudent attitude which his Excellency Halil Rifaat Pasha has maintained throughout an emergency which, to a Turkish official, must have offered considerable temptation for resorting to repressive measures, has undoubtedly had the effect of preserving tranquillity during the recent crisis, when the slightest mishap might have transformed what has proved to be a peaceable demonstration into a dangerous popular outbreak.

I annex translation of the Memorial transmitted by telegram to His Majesty the Sultan.

It is necessary to supplement this brief account of what has already occurred with a few remarks regarding the future of this new Greek question, and here the outlook is less reassuring.

The temperate manner in which the recent demonstration was conducted was owing to the discretion of its leaders in discouraging the attendance of the rowdy element among the Greek population. But for this precaution, it is doubtful whether the tact displayed by the Vali would have sufficed to prevent disturbances.

The 15,000 men who assembled last Sunday included a large proportion of the middle-class Greeks, professional men, merchants, brokers, and others engaged in wholesale trade, with their clerks, but the majority was composed of the petty shop-keepers, who represent to a great extent the retail trade of Smyrna. Though generally springing from the lower orders and very ignorant, these have a certain stake in the country which restrains them, under ordinary circumstances, from countenancing public disturbance. Yet in moments of excitement they cannot be relied on, and it has been seen in this instance that their chosen leaders lost all control over them when they endeavoured to carry out the measures that had been agreed upon with the Vali for preserving order.

There is, however, resident in this city a large body of a very low order of Greek, who is generally without education and with no responsibilities. Though commonly working as a labourer or artisan, he is seldom in settled employment, and he manages to waste most of his time in the cafés and low beer-shops with which the town is more than amply supplied. These conditions, combined with a natural excitability and intense vanity, render him the easy dupe of any clever demagogue, especially under circumstances favouring a combination of reckless characters with the bulk of the community, under the plea of religious persecution.

There cannot be much less than 10,000 persons who would come more or less under this category, yet this class was scarcely represented at the recent meeting.

Should fresh demonstrations occur, however, we cannot count on

the same organization or upon a repetition of the recent prudent arrangements, while it is probable that it might not be considered desirable, even if it were possible, to exclude this reckless element from any future proceedings.

Under such circumstances, the tacit sanction of the authorities to the public assemblage of so large a body of Greeks, who would undoubtedly for the moment hold this city and its commerce entirely at their mercy, is not likely to be accorded.

It would appear, therefore, that unless the Sublime Porte finds means for arranging the difficulty which has involved the closing of the Greek churches in Turkey, trouble must be anticipated in Asia Minor, and, if the state of affairs now existing does not become ameliorated before the Greek Christmas, such trouble may be accompanied with serious danger both to the country and its commerce.

I have, &c.,

Sir W. White.

FREDERIC HOLMWOOD.

(Inclosure.)—Memorial sent by Greek Population to His Majesty the Sultan.

(Translation.)

To His Most Glorious Majesty our best beloved Sovereign, Sultan Hamid, &c.

MAY the Most High ever preserve the power of your most merciful Majesty upon the brilliant Throne of Osman, as also your precious health, for the benefit of humanity. Amen.

The inhabitants of Smyrna and its surroundings, most faithful and devoted subjects of your Imperial Majesty, belonging to the Greek nation, whose gratitude for the unlimited favours and blessings which your Imperial Majesty has ever showered upon us in abundance is as deep as the ocean, submit with the greatest respect to your Majesty the present humble Petition.

An unexceptional serious duty and religion impose to-day upon us the audacity of assembling together to express our deepest sorrow at the difficulty and hopeless perplexity in which our Orthodox Church in general has been drawn by the obligatory hindrance of its religious rites.

Bearing in mind that your Imperial Majesty, who is distinguished for his wisdom and faith, is well aware that the existence of a whole nation is impossible without the practice of its religion, we courageously bend before the steps of your glorious Throne, and humbly beseech the removal of the causes of our emotion and our disorder, and to receive with indulgence the just demands of His Holiness our Œcumenical Patriarch, which have been submitted

some time ago, concerning the inviolable immunities which during so many centuries the powerful Sultans who have reigned so gloriously, as also up to the present your Imperial Majesty, has always respected and protected.

This new Imperial blessing would, on the one hand, have completed the eternal gratitude of our nation praying night and day for the longevity and glory of your Imperial Majesty, who, under like circumstances, has ever accorded us his gracious favours; on the other hand, it would have contributed to defend the peace and tranquillity of our Orthodox Church, which has been drawn into a dangerous position by the profound conviction of the necessity of praying and adoring in our temples the Almighty Being who accords to your Imperial Majesty immutable health and immortal glory.

It is in this hope that we remain the humble subjects of our most beneficent and beloved Sovereign, Sultan, &c.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, December 15.)

SIR,

Salonica, December 10, 1890.

I HAVE the honour to report to your Excellency that the Address referred to in my despatch of the 1st instant as being prepared by the local Greek community on the subject of the pending questions between the Patriarch and the Sublime Porte was presented yesterday afternoon to the Pasha by a deputation composed of ten of the leading members of the community.

His Excellency received the deputation in a kind and courteous manner, and promised to forward the Address to the Sultan. It was evident that the Pasha was favourably impressed with the fact that all the members of the deputation are Ottoman subjects.

I inclose a translated copy of the Address.

I also inclose a copy of a Report from Mr. Vice-Consul Capety relative to the closing of the churches in the Sandjak of Serres.

I have, &c.

Sir W. White.

J. E. BLUNT.

(Inclosure 1.)—Address of Greek Community of Salonica.

(Traduction.)

Salonique, Novembre 1890.

Le peuple Orthodoxe de Salonique a recours avec respect à votre Excellence pour la prier de vouloir bien transmettre à Sa Majesté l'auguste père de ses peuples, notre Monarque le Sultan, qui dans sa

puissance a eu toujours un soin paternel pour les peuples, lesquels, par la volonté de Dieu, vivent dans son Empire et qui libéralement répand ses grâces, que nous le supplions chaleureusement de daigner dans sa magnanimité ordonner l'aplanissement des causes qui ont provoqué la fermeture de nos églises, donnant à notre nation les privilèges et grâces que ses illustres prédécesseurs ont prodigué, et ramener la joie aux cœurs affligés de notre nation, qui ne cesse pas de prier toujours à Dieu pour la longévité, la prospérité, et la gloire de Sa Majesté.

Soumettant à votre Excellence notre humble demande par une députation des représentants de notre communauté nous avons l'honneur de vous exprimer notre respect et notre dévouement.

(Here follow more than 1,000 signatures.)

A son Excellence Galib Pacha,

Vali du Vilayet de Salonique.

(Inclosure 2.)—*Vice-Consul Capety to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL,

Serres, le 6 Décembre, 1890.

LES églises Orthodoxes de Serres, Zichna, Nevrocop, et Eleutheropolis restent encore fermées; par contre, celles de Melenico, Djuma-Bala, Petrich, et Timur-hissar, relevant du Métropolitain de Melenico, fonctionnent.

Le Métropolitain de Melenico lui aussi avait suivi l'exemple des autres Prélats du Patriarcat Œcuménique, mais, comme je me suis informé, le Caïmacam de Melenico a obtenu de lui de révoquer cette décision, lui ayant promis de ne pas permettre aux Bulgares de Djuma-Bala de mentionner dans la liturgie le nom de l'Exarque.

Dans mon précédent rapport je disais que la fermeture des églises avait produit une pénible impression dans les ouailles et que les Chrétiens, quoique tranquilles, étaient mécontents. Les Chrétiens, y compris les Bulgaro-phobes, qui se sont soumis sans résistance à la mesure prise par les Métropolitains, commencent à murmurer, surtout maintenant qu'il est Carême; et je répète qu'il est à souhaiter que la crise soit terminée avant Noël. L'état des esprits est tel que la prolongation de la crise pourra provoquer des démonstrations.

J'ai, &c.,

J. E. Blunt, Esq.

CONST. CAPETY.

Mr. Baring to the Marquess of Salisbury.—(Received December 15.)

MY LORD,

Cettinje, December 8, 1890.

THE Emperor of Austria has recently been pleased to amnesty a man named Djoko Radovich, who took a leading part in the Herze-

govinian insurrection of 1882, and who, with some others, was excluded from the general amnesty issued after the outbreak. This man has resided for several years at Niksbich ; but a short time ago he came to the Austrian Legation and handed in a Petition to the Emperor praying to be allowed to return to his native country, and promising faithful allegiance to His Imperial Majesty.

The Petition was in due course forwarded to Vienna, and the Austrian Minister did not fail to impress upon his Government that it would be good policy to grant the request.

Radovich has now returned to his home.

There are many refugees from Herzegovina in this country whose notions of Montenegrin hospitality have been dispelled by bitter experience, and who would only be too glad to return to their homes. They are mostly far less compromised than Radovich was, and when they see a man, specially excluded from the amnesty, return quietly to his home, they will probably not be slow to follow his example.

Besides Herzegovinians, there are also a number of refugees from the Crivoscie who would, I believe, also be too glad to quit Montenegro. The Dalmatian authorities have not, however, imitated the wise policy of M. de Kállay, and are not inclined to let bygones be bygones. The Crivoscian refugees are therefore unable to return to their native province for fear of being made answerable for past political offences.

I have, &c.,

The Marquess of Salisbury.

WALTER BARING.

Sir E. Monson to the Marquess of Salisbury.—(Received December 19.)

MY LORD,

Athens, December 11, 1890.

I ASKED M. Deligeorges this morning what news he had from Constantinople respecting the question of the Patriarchate.

His Excellency replied that his latest information from the Greek Minister there did not afford much encouragement to the hope of a speedy solution of the difficulty, and that he was sorry to find that both at the Porte and the Palace there existed a conviction that the Hellenic Government had been and continued to be responsible in a large degree for the obstinacy of the Patriarch, and for the implacable attitude of the Greek subjects of the Sultan.

He wished me, therefore, to understand clearly that neither from M. Tricoupi's Government nor from that now in office had any advice or suggestions whatever been conveyed to the Patriarch or to the Orthodox community which could have encouraged or inspired the recent imprudent step. On the contrary, M. Mavrocordato had been strictly instructed to hold himself entirely aloof from this

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question, and the Hellenic Government had not the slightest intention of changing their attitude in regard to it. The rumours prevailing to the contrary are absolutely untrue, and he (M. Deligeorges) could confidently affirm that no Agent of the Greek Government had had any part in advocating resistance to the wishes of the Ottoman Government. He could not, however, deny that many Greeks domiciled in the Sultan's dominions, especially in the places where the Greek community is numerous, had identified themselves with the demonstrations in favour of the Patriarch. The Government regretted that such should be the case, but they could neither feel much surprised at it nor take any efficacious measures to prevent it. The religious sentiment which pushed Orthodox Greeks into associating themselves with their fellow-Christians in Turkey is after all a very natural one. Greek subjects living in Turkey avail themselves of necessity of the services of the Greek clergy subjects of the Sultan; they worship in the same churches as their co-religionists who are Ottoman subjects, and it is only to be expected that they will not disconnect themselves from the action of those of the same communion in whose interests they inevitably feel themselves concerned. The Home Government has no power to stop this, and can only discountenance it, as it has been careful to do.

With regard to the merits of the question, M. Deligeorges observed that it should be recollected that the privileges for which the Patriarch is contending are not to be regarded as analogous to those granted to foreigners by the Capitulations, but that they have always been considered as the birthright of the Hellenic subjects of the Sultan, guaranteed solemnly and continuously by His Imperial Majesty's predecessors, and looked upon by the beneficiaries in consequence as inviolable as long as the Mussulman religion continues to be the religion of the Ottoman State.

In the course of our conversation, M. Deligeorges said that it was particularly unfortunate that this question should have arisen at a moment when the new Government is anxious to show that it is a mistake to suppose that the King's present advisers are animated by a disposition hostile to Turkey. He could assure me that they are extremely desirous of cultivating the most friendly relations with the Ottoman Government, and that they would do all in their power to prevent this or any other question developing into a cause of bitterness between the two countries.

M. Deligeorges' language was so conciliatory and so moderate that I thought it advisable to make its tenour known at once to your Lordship in a telegram, which I have repeated to Sir William White.

I have, &c.,

The Marquess of Salisbury.

EDMUND MONSON.

Consul-General Blunt to Sir W. White.—(Received at the Foreign Office, December 26.)

SIR,

Salonica, December 17, 1890.

WITH reference to my telegram of this afternoon, I have the honour to transmit herewith inclosed copies of three despatches which I have received from Mr. Conéménos, Acting British Vice-Consul at Prevesa, relative to the action of the Turkish authorities in suppressing the recent demonstrations at Janina and Prevesa in connection with the Greek Church question.

Mr. Conéménos reports that the exile of certain Greek Notables of the above-named places for the part they took in the demonstrations has excited much ill-feeling between the Christians and Mahomedans in Epirus, and that disturbances are apprehended in the approaching Christmas festival if the Turkish authorities continue their harsh measures.

While the demonstrations in Epirus, owing to the strong Greek national sentiment prevailing in that province, appear to have assumed a political and provocative character which compelled the authorities to suppress them, those in Macedonia have been conducted in a peaceful and unostentatious manner. The leading Greek Notables here and in the interior studiously avoid doing anything likely to give offence or umbrage to the Turkish authorities, and I may add that the tact, forbearance, and loyal attitude of the Greek Archbishop of Salonica have been particularly evidenced in connection with this Church difficulty.

I have, &c.,

Sir W. White.

J. E. BLUNT.

P.S.—After writing the above, I received from a trustworthy source the inclosed statement relative to the action of the Greek Consul at Serres in trying to get up a demonstration on the part of the Greek community there.

J. E. B.

(Inclosure 1.)—Acting Vice-Consul Conéménos to Consul-General Blunt.

M. LE CONSUL-GÉNÉRAL,

Prevesa, le 8 Décembre, 1890.

J'AI l'honneur de vous informer que, selon la dernière dépêche que j'ai eu de Janina de la part de notre Agent, Mr. Kypriotis, après la démonstration qui a eu lieu dans cette ville pour les privilèges de l'Église Orthodoxe, le Gouvernement Local arrêta plus de vingt personnes, parmi lesquelles beaucoup des Notabilités du pays, que le Gouverneur-Général interrogea lui-même, ensemble avec quelques membres de son Conseil ("Idaré Medjliss"). Des

dites vingt personnes quelques-unes ont été libérées après l'interrogation, mais on en a mis en prison une dizaine, que personne ne peut visiter sans permission.

Dimanche, 23 Novembre, Mr. Kypriotis visita, en privé, le Vali, et lui demanda ce qu'il a appert de ses interrogations.

Son Excellence répondit que les arrêtés n'ont pas commis un crime de lèse-majesté, mais quoiqu'il a été prouvé qu'ils n'avaient que simplement l'intention d'adresser une exhortation relative à la question ecclésiastique, toutefois ils auraient dû procéder à cela par un Comité, et pas comme ils agirent, et que les interrogations ont été transmises à Constantinople.

Son Excellence ajouta qu'il considère le premier auteur de tout cela l'Archevêque de Janina, et ceux qui restent emprisonnés comme les auteurs de la démonstration; et qu'il attend de Constantinople des instructions sur ce qu'il doit en faire.

Le 28 Novembre un avocat de Janina, nommé Georges Golgoe, ami des emprisonnés, ayant obtenu le permis de la sentinelle, les visita. En sortant de la prison il rencontra le Chef Commissaire de Police, qui l'insulta, en lui demandant comment il entra la prison sans permission. L'avocat répondit qu'il était entré avec la permission de la garde, et que le Commissaire se déporte [*sic*] en l'insultant à tort. Il partit de la Préfecture, mais après quelques minutes le Commissaire le rencontra de nouveau au marché, et donna ordre à deux soldats qui le suivaient de l'arrêter. Ainsi, en le poussant et l'insultant, ils le mirent en prison, et même on ne lui donna rien à manger le premier jour.

En général, les Musulmans de Janina regardent les Orthodoxes comme révolutionnaires, et ils sont effarouchés à un tel point qu'ils les maltraitent pour la moindre chose, de sorte que la position des Chrétiens est devenue insupportable.

Aussi à Pieveva, et généralement dans l'Épire, après ces derniers événements, la fermeture des églises et tout ce qui s'y rapporte, l'éloignement du Métropolitain bien chéri dans le pays, les arrestations, l'emprisonnement, et peut-être l'exil de ces pauvres gens, considérés comme des nouveaux martyrs de la religion, outre les mesures prises par le Gouvernement Local pour la sécurité du pays, mesures qui ne cessent pas d'être que bien oppressives pour les habitants, &c., le fanatisme se ranime de part et d'autre, et il y a à craindre que si l'affaire continue de la sorte, les fêtes de Noël ne passeront pas sans accidents de graves conséquences.

J'ai, &c.,

J. E. Blunt, Esq.

CÉSAR CONÉMÉNOΣ.

(Inclosure 2.)—*Acting Vice-Consul Conéménos to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL, *Prevesa, le 9 Décembre, 1890.*

J'AI l'honneur de porter à votre connaissance que Jeudi passé, comme régulièrement chaque quinze jours, arriva à Prevesa le bateau "Kiamil Pacha," de la Compagnie Ottomane Mahsousseh, sur lequel, ayant touché à Mourtos, on y avait embarqué les dix-sept emprisonnés pour la question ecclésiastique à Janina, pour être transportés à ce qu'on dit à Constantinople.

On ne permit pas à personne de les visiter, mais les familles de ceux de Prevesa ont envoyé sur le bateau leurs par-dessus, dont ils auraient peut-être besoin, ainsi que de l'argent. A ce qu'on dit sur le bateau on n'accepta des par-dessus que pour MM. C. Tolias et A. Harissis, ainsi que pas plus de £ T. 10 pour chacun des susdits deux prisonniers. Pour les autres on n'a pas voulu accepter ni habits ni de l'argent. Aussi on dit que ces derniers étaient même dans le bateau enchaînés. Le bateau en question quitta Prevesa Vendredi, 5 courant, emportant ces malheureux.

J'ai, &c.,

J. E. Blunt, Esq.

CÉSAR CONÉMÉDOS.

(Inclosure 3.)—*Acting Vice-Consul Conéménos to Consul-General Blunt.*

M. LE CONSUL-GÉNÉRAL, *Prevesa, le 9 Décembre, 1890.*

J'AI l'honneur de vous annoncer qu'en ce moment j'ai reçu une dépêche de la part de notre Agent à Janina, Mr. B. Kypriotis, sous date 2 courant par laquelle il m'informe ce qui suit :—

"D'après dépêche télégraphique du Grand Vizir, Dimanche, 30 Novembre, on a éveillé à minuit les emprisonnés, onze de Janina et six de Prevesa, et les conduisirent à l'exil accompagnés par des détachements de troupe d'infanterie et cavalerie, voie Paramythia, pour être conduits, dit-on, en exil provisoire à Constantinople. Cette mesure prise de la part du grand Vizir provient du rapport de son Excellence le Vali. En preuve le journal du Vilayet de Janina de Vendredi passé annonçant officiellement qu'ils (les prisonniers) avaient battu dangereusement M. Zoides, ce qui est un mensonge, car moi-même une heure après le tumulte j'ai rencontré M. Zoides au marché bien portant."

Mr. Kypriotis ajoute : "La manière d'agir du Gouvernement Local a mortellement peiné les Orthodoxes, et même hier les familles des exilés se rendirent les larmes aux yeux à son Excellence le Vali en implorant son merci ; mais il n'a pas consenti à les recevoir, et alors elles se dirigèrent aux Consulats étrangers, excepté notre

Agence, pour supplier en faveur des exilés. Tous les Consulats les accueillirent avec des paroles de consolation et d'encouragement, excepté le Consulat d'Autriche, où elles n'ont pas été reçues."

J'ai, &c.,

J. E. Blunt, Esq.

CÉSAR CONÉMÉNOS.

(Inclosure 4.)—*Statement relative to the action of the Greek Consul at Serres with regard to the Greek Church Question.*

M. METAXAS, the Greek Consul at Serres, in reporting under date 16th November, 1890, to the Ministry at Athens and to the Greek Legation at Constantinople that Bulgarian Agents were spreading a rumour to the effect that the closing of the Greek churches was a revolutionary step taken by the Patriarchate against His Majesty the Sultan and against the *statu quo*, asked for authority to arrange a demonstration in a sense contrary to this rumour. The Legation immediately answered that as the question was approaching a happy solution the Consul should not take any action in the matter; but on Thursday, the 4th December, the Legation telegraphed to M. Metaxas that though the question of the Patriarchate was likely to be solved, still, as the Sublime Porte was every day making new concessions, it would be useful that demonstrations of a peaceful character should be made in all the provinces.

For this purpose M. Metaxas was authorized to act in such a way as to arrange a demonstration on the part of the Greek community, the demonstration being intended not to convey a demand, but to address a humble prayer through the Governor by telegram to His Majesty the Sultan. It seems that M. Metaxas cannot succeed in his design at Serres, since the Greek Notables are not disposed to sign the Petition.

The above information is entirely in accordance with the truth, since at the same time and under the same form a like proceeding has taken place at Salonica and elsewhere.

Mr. F. R. St. John to the Marquess of Salisbury.—(Received December 26.)

(Extract.)

Belgrade, December 17, 1890.

I ASCERTAINED yesterday, in conversation with General Gruitch, that he takes the same unfavourable view as does the present Greek Government (according to Sir E. Monson's despatch to your Lordship of the 21st ultimo) of the course pursued by the Ecumenical Patriarch in ordering the Orthodox Greek churches throughout the Sultan's dominions to be closed.

His Excellency informed me that the Servian Consular Agents in Macedonia all report (as does Mr. Consul-General Blunt in his despatch to your Lordship of the 13th ultimo) an adverse feeling as having been evoked in their respective districts, and in another and no less reliable quarter I am told that in many of those localities waverers have, in consequence, definitively joined the Bulgarian Church.

The Marquess of Salisbury.

F. R. ST. JOHN.

*Mr. C. Hardinge to the Marquess of Salisbury.—(Received
December 26.)*

MY LORD,

Sophia, December 19, 1890.

IN the dispute between the Sublime Porte and the Greek Œcumenical Patriarch, the alternative measures for an amicable arrangement, as defined by M. Deligeorges in his interview with Sir E. Monson, and reported in his despatch of the 21st ultimo, afford one more proof that the question at issue is not confined to the maintenance of the traditional privileges of the Œcumenical Patriarch which the Porte desires to curtail, but that it is in close connection with the rivalry existing between the Greek and Bulgarian Churches in Macedonia, recently brought to a crisis by the appointment of two Bulgarian Bishops in that province.

As regards the alternative solution that the Bulgarian Bishops should be declared schismatics, and should wear some distinctive attire, I have taken steps to inquire indirectly the opinion of the higher ecclesiastical authorities as to whether such a proposal would be accepted by them, and Bishop Gregory, Metropolitan of Rustchuk, a very enlightened ecclesiastic, is of opinion that neither of these suggestions could be accepted; for, since the rites of the Bulgarian Church are precisely similar to the rites of the Greek Church, they would object to being called schismatics merely on account of the autocephalous position of the National Church, which he declares to be not inconsistent with the principles of true Orthodoxy.

As to wearing a distinctive attire, his Beatitude stated that such a mark would imply a position of inferiority, which could only serve to the detriment of the interests of the Bulgarian Church in Macedonia.

M. Stamboloff, whom I questioned yesterday on the subject, spoke in much the same sense, saying that he did not see any necessity for making concessions to Greek susceptibilities in this matter, more especially as such a course would certainly imperil the good relations recently established between the Government and the Holy Synod. His Excellency added that it was not probable that the Porte, which had hitherto abstained from all interference in

questions of religious rites, would in this case deviate from its usual course.

I have, &c.,

The Marquess of Salisbury.

CHARLES HARDINGE.

Sir E. Monson to the Marquess of Salisbury.—(Received December 29.)

(Telegraphic.)

Athens, December 29, 1890.

THE King and M. Delyanni are very anxious at the continuance of the dispute between the Greek Patriarch and the Ottoman Government, and have asked me to inquire if Her Majesty's Government cannot take some action to bring about a settlement of the question before the advent of the Holy season.

Notice has been given in the Chamber of an interpellation on the subject, but the Government will decline to give any answer at present.

I have informed Sir William White.

Sir W. White to the Marquess of Salisbury.—(Received December 29.)

(Telegraphic.)

Constantinople, December 29, 1890.

I HAVE the honour to state that I have received Sir E. Monson's telegram dated to-day.

The Porte seems to be most desirous of a settlement of the so-called Patriarchal question, but is constantly met with difficulties made by a small number of ill-advised Greeks.

The Greek population in Turkey has shown itself remarkably indifferent to the action of its own upper clergy in closing the churches.

Vice-Consul Capely to Consul-General Blunt.—(Received at the Foreign Office, December 30.)

M. LE CONSUL-GÉNÉRAL,

Serres, le 20 Décembre, 1890.

LE 18 de ce mois, fête Grecque de Saint-Nicholas, une quantité d'habitants Chrétiens de Serres, artisans et commerçants, se sont rendus à la métropole, où une députation s'est présentée au Métropolitain et en poussant des "hourras" pour Sa Majesté le Sultan elle a prié l'Archevêque de bien vouloir faire parvenir à Sa Majesté les sentiments de dévouement et soumission de la population Chrétienne de Serres et ses vœux que le Padischah, dans son amour bien connu pour ses sujets, daigne gracieusement laisser cesser la crise Patriarcale afin que les Orthodoxes puissent adorer Dieu dans leurs

églises. L'Archevêque a parlé de Sa Majesté dans des termes très respectueux et avec des mots qui ont été accueillis par les nouveaux "Zitos!"

En assurant la foule qu'il ne manquerait d'être son interprète il l'a congédié en lui recommandant de nourrir toujours le même dévouement envers Sa Majesté le Sultan.

Le lendemain le Métropolitain recevait des Pétitions de toutes les paroisses de Serres rédigées dans le même sens. Il en a remis en per-sonne copie au Mutessarif Djevad Pacha, récemment arrivé, en le priant de faire parvenir à Sa Majesté les sentiments de dévouement et de respect des habitants Orthodoxes de Serres, et leurs vœux touchant la question des églises fermées. Son Excellence le Mutessarif a répondu qu'il agira conformément.

Les personnes allées à la métropole se sont comportées bien.

Le mauvais temps a été cause que la démonstration n'a été plus nombreuse.

J'ai, &c.,

J. E. Blunt, Esq.

CONST. CAPETY.

Vice-Consul Pecchioli to Consul-General Blunt.—(Received at the Foreign Office, December 30.)

M. LE CONSUL-GÉNÉRAL, *Oavalla, le 18 Décembre, 1890.*

ARRIVÉ à peine à mon poste, je me suis fait un devoir d'étudier la question de la fermeture des églises Grecques au point de vue spécialement de l'effet qu'elle produit sur les Orthodoxes de ce sandjack et du danger d'une émeute populaire capable de troubler l'ordre public. Voici les résultats de mes investigations :—

Dans le Sandjack de Drama les églises Grecques ont été toutes fermées. L'ordre du Patriarcat a été exécuté sans trouble d'aucune espèce.

Les intelligents appartenant à la communauté Orthodoxe ne croient pas cette disposition ou mesure favorable au prestige du Patriarcat. Mais ils croient au contraire que les Bulgares auront tout à profiter de cet état de choses.

Les ignorants, de leur côté, ont pris la chose d'une manière on ne pourrait plus tranquille, au delà même de ce qu'on aurait pu croire pour une population peu éclairée qui a toujours confondu ensemble "église et patrie."

En général les Orthodoxes pensent que du moment que l'Église Bulgare a voulu et obtenu de devenir indépendante du Patriarcat Grec, il serait juste que la dite nouvelle Église ait à changer en quelque chose son costume ; et on a la conviction que si Sa Majesté le Sultan pourra amener les Bulgares à adopter un costume un peu

différent pour son clergé, l'entente entre le Patriarcat Grec et la Sublime Porte pourrait être très vite rétablie.

Quant à la tranquillité publique elle est ici parfaite pour le moment, et il ne paraît pas probable qu'elle sera troublée pendant les fêtes de Noël—même si les églises ne seront pas ouvertes jusqu'alors. Cependant sur ce point je ne veux et je ne puis pas émettre un jugement trop absolu, des circonstances imprévues pouvant surgir telles à changer tout à fait la situation.

J'ai, &c.,

J. F. Blunt, Esq.

S. PECCHIOLI

[Continued in Vol. LXXXIV.]

COLOMBIAN LAW, approving the Contract of December 10, 1890, between the Colombian Government and Mr. Lucien N. B. Wyse on behalf of the Liquidator of the Universal Panamá Canal Company, for the Construction of a Canal between the Atlantic and Pacific Oceans, across Colombian Territory.—Bogotá, December 26, 1890.

(Translation.)

THE Congress of Colombia

Decrees :

Sole Article.—That the Contract reforming that of the 23rd March, 1878,* for opening an interoceanic canal across Colombia territory, concluded between his Excellency the Minister for Foreign Affairs and M. Lucien N. B. Wyse, as special attorney of the Liquidator of the Universal Panamá Canal Company, be approved in all its parts ; which Contract runs as follows :—

“ Antonio Roldán, Minister for Foreign Affairs, duly authorized by his Excellency the President of the Republic, of the first part, hereinafter styled ‘ the Government,’ and Lucien N. B. Wyse, Commander in the Navy, Engineer, the original grantee of the interoceanic canal, and special attorney of the Liquidator of the Universal Panamá Canal Company, as appears by the power of attorney executed in Paris the 16th day of May, 1890, of the second part, hereinafter styled ‘ the grantee,’ have agreed to reform the Contract of the 23rd March, 1878, for the opening of an interoceanic canal across Colombian territory, approved by Law 28 of the said year, in accordance with the following stipulations :

“ ARTICLE 1. The Government grants to the Liquidator of the

* Vol. LXX, page 694.

Universal Interoceanic Panamá Canal Company an extension of ten years within which the canal must be completed and opened to the service of the public, under the following conditions :

"1. The grantee agrees to transfer all the assets of the Company in liquidation to a new Company, which shall assume the work of completing the interoceanic canal.

"2. The new Company shall be definitively organized, with sufficient capital for the purpose, and shall resume the work of excavation in a serious and permanent manner by the 28th February, 1893, at the latest.

"3. The grantee, or whoever may represent his rights, shall furnish to the National Government in Panamá the sum of 10,000 dollars monthly, in Colombian (silver) coinage of 0.835 fine, for the maintenance of 250 men, whom the Government agrees to employ from the military garrison of the Department of Panamá, for the preservation of order and the security of the line of the canal during the work of excavation; and after the completion of the work, for the protection of the interoceanic transit.

"In case the Company should require a greater number of men of the public forces, the Government may supply them for the said service from the military garrison of the Department; but the expenses occasioned by employing such greater number of men shall be likewise paid by the Company, in proportion to the terms hereinbefore established.

"The Company is required to supply adequate lodgings for the troops, at points of the line where the Government does not possess them.

"The concluding part of Article 8 of the original Contract is modified in accordance with the foregoing provisions.

"4. Small vessels shall be permitted to navigate the lakes which may form part of the canal, under such regulations as the Company may draw up in relation thereto. The Company shall not be responsible for the risks attaching to such navigation.

"Regulations for the local police on the lakes shall be duly issued by the Government, with a view to the general interests of the enterprise.

"5. The Company is required to re-establish the means of public transit, by bridges or ferries, as it may consider to be most practicable, at the mouth of the Rio Grande; and if, in consequence of the shipping traffic, the passage at this point is hereafter impeded, the Company shall re-establish the same between Emperadou and the Arraigan, to the satisfaction of the Government.

"Art. 2. In addition to the waste lands granted gratuitously by the Contract of 1878, expropriations of lands, buildings, and plantations required for the canal and its annexes shall be made by the

Government, at the cost of the Company, in conformity with condition 9 of Article 1 of the said Contract, approved by Law 28 of 1878.

"Such expropriations shall be made with as little delay as the legislation of the country upon the subject allows; and the property expropriated shall be delivered at once to the grantee or the representative of his rights.

"Art. 3. The Government also agrees to take the necessary steps to secure to the new Company the full possession of the lands belonging to the Company in liquidation which have been unlawfully occupied by private persons; and to obtain a judicial decision to the effect that no person has a right to any indemnity who, without previous permission, has built or planted on ground bought by the Canal Company in liquidation for the works of excavation or installation, or for the deposit of earth, or of the refuse of its works.

"Art. 4. In compensation for the services which the Government agrees to render in accordance with the two preceding Articles, the grantee, or whoever may represent his rights, shall pay to the Government 10,000,000 fr. in gold, and shall transfer to it, without further consideration, 5,000,000 fr. in 10,000 paid-up shares of the new Company of 500 fr. each, free from all tax, and earning the same interest as the ordinary shares. The said 10,000 shares shall remain attached to their respective counterfoils until the ordinary shares shall have been fully paid up; but the Government shall have the right to alienate or pledge them whenever it may so desire, upon giving notice to the Company.

"Paragraph. The grantee, or whoever may represent his rights, shall pay the 10,000,000 fr. to which this Article refers in five equal annual instalments; the first being payable three months after the definitive organization of the new Company for the completion of the canal, according to the second condition of Article 1 of this Contract.

"From this sum shall be deducted the 2,500,000 fr., and the interest accrued up to the date of the approval of the present Contract, which the Government owes to the Company in liquidation on account of the loan of 1883; and this deduction shall be made beforehand, in order to determine the amount of the five annual instalments hereinbefore referred to. By this arrangement the said loan shall be completely cancelled.

"Art. 5. The Special Delegate whom the Government has the right to appoint in the Administrative Council of the Company by Article 20 of the existing Contract shall have in the new Company which may be formed for the completion of the canal the same privileges and attributes as shall be granted to the other Administrators by the Articles of Association of the Company; but neither

the said Delegate nor the official Agent of the Government resident on the Isthmus shall have the power to publish anything relating to the business of the Company without the express authorization of the Company.

“Art. 6. If the new Company for the completion of the canal is not organized, nor the work of excavation resumed within the period fixed by condition 2 of Article 1, the existing Contract shall determine, and the Republic shall enter into possession and ownership, without the necessity of a previous judicial decision, and without paying any indemnity, of the actual works of the canal and the annexes belonging to them, in accordance with Article 23 of the Contract of 1878.

“Paragraph 1. It is understood that the Contract shall also determine, and that the provisions of this Article shall be fulfilled, if at any time before the 28th February, 1893, should the Company for the completion of the canal not have been formed, the legal representative of the Universal Interoceanic Canal Company in liquidation, or whoever should represent his rights, abandons the preservation of the works, property, and buildings belonging to the said Company which now exist on the Isthmus.

“Paragraph 2. The preservation of the property referred to in the preceding paragraph shall be understood to be abandoned whenever the legal representative of the Universal Interoceanic Canal Company in liquidation, or whoever may represent his rights, shall remove the staff of employés now maintained on the Isthmus, or shall cease to make the necessary expenditure to prevent the loss or injury of the said property.

“Paragraph 3. It is furthermore understood that the buildings, plant, works, and improvements which are to pass into the possession of the Republic in the events provided for in this Article, and in accordance with Article 23 of the Contract of 1878, shall be inalienable, and must be delivered over in good condition, except for deterioration caused by wear and tear, *force majeure*, or unavoidable accident.

“Art. 7. Whenever the Company for the completion of the canal shall be legally organized, and have resumed the works in conformity with the provisions of condition 2 of Article 1 of this Contract, the Government shall adjudge to it the 250,000 hectares of waste lands in the Department of Panamá which by executive resolutions have been declared to belong to it, and shall deliver to it the respective title-deeds, provided always that the legal formalities in respect of the matter shall be complied with on the part of the Company.

“Art. 8. The bond for 750,000 fr. given by the Canal Company in accordance with Article 2 of the existing Contract shall remain as

security for the fulfilment of the obligations arising out of that Contract, and of those which the grantee undertakes by virtue of this present one.

"Art. 9. All the rights and obligations created by the Contract of the 23rd March, 1878, for the opening of an interoceanic canal across Colombian territory, approved by Law 28 of the same year, shall remain in full force and virtue, without other limitations or modifications than those provided for in the present Contract.

"Art. 10. The present Contract requires for its validity the approval of his Excellency the President of the Republic and that of Congress.

"Done in duplicate, at Bogotá, the 10th day of December, 1890.

"ANTONIO ROLDÁN.

"LUCIEN N. B. WYSE.

"Executive Government, Bogotá, December 10, 1890.

"Approved.

"CARLOS HOLGUIN.

"ANTONIO ROLDÁN, *Minister for Foreign Affairs.*"

Given in Bogotá, the 23rd December, 1890.

JOSÉ JOAQUÍN ORTIZ, *President of the Senate.*

EDUARDO POSADA, *President of the Chamber of Representatives.*

ENRIQUE DE NARVAEZ, *Secretary of the Senate.*

MIGUEL A. PENAREDONDA, *Secretary of the Chamber of Representatives.*

Executive Government, Bogotá, December 26, 1890.

Let it be published and executed.

CARLOS HOLGUIN.

ANTONIO ROLDÁN, *Minister for Foreign Affairs.*

LOI de la République Française, concernant le Régime des Sucres.

—Paris, le 29 Juin, 1891.

Le Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit :—

Article 1^{er}. A partir du 1^{er} Septembre prochain, et pour les campagnes suivantes, le rendement légal par 100 kilog. de betteraves mises en œuvre dans les fabriques de sucre indigène reste fixé à 7 kilog. 750 grammes.

Lorsque le rendement effectif de chaque fabrique ne dépasse pas 10 kilog. 300 grammes de sucre raffiné par 100 kilog. de betteraves, l'excédent est en totalité admis au bénéfice du droit réduit édicté par le premier paragraphe de l'Article 1^{er} de la Loi du 5 Août, 1890.

La moitié de l'excédent obtenu en sus de 10 kilog. 500 grammes de sucre par 100 kilog. de betteraves n'est également passible que de ce même droit réduit; l'autre moitié est ajoutée aux charges imposables, au droit plein de 60 fr. par 100 kilog.

Aux fabricants qui, avant le 1^{er} Novembre de chaque année, déclarent au bureau de la Régie qu'ils renoncent au bénéfice de la prime sur les excédents de rendement, il est alloué un déchet de 15 pour cent sur le montant total de leur fabrication.

Les sucres correspondant à ce déchet sont passibles d'un droit égal à celui qui est applicable aux sucres représentants des excédents.

Sous l'un ou l'autre des deux régimes définis ci-dessus, la prise en charge fixée par le premier paragraphe du présent Article est définitive, quels que soient les excédents et les manquants qui peuvent se produire.

Art. 2. Le déchet de fabrication alloué aux fabricants-distillateurs par l'Article 6 de la Loi du 5 Août, 1890,* est abaissé à 15 pour cent, à partir de la campagne 1891-1892.

Art. 3. Les mélasses expédiées d'une fabrique sur une autre fabrique ou sur une sucraterie exercée sont portées en décharge au compte de fabrication, à raison de 30 kilog. de sucre raffiné par 100 kilog. de mélasses. Elles sont prises en charge chez le destinataire pour une quantité de sucre raffiné égale à celle dont le compte de l'expéditeur a été déchargé.

Ne peuvent être expédiées dans ces conditions que les mélasses épuisées n'ayant pas plus de 50 pour cent de richesse saccharine absolue.

Art. 4. Toute modification relative à la fixation de la prise en charge ou du déchet, qui ferait l'objet d'une nouvelle disposition législative, ne serait applicable qu'un an après la promulgation de la nouvelle Loi.

Disposition Transitoire.

Art. 5. Pour la campagne 1890-1891 il sera alloué un déchet de 15 pour cent sur le montant total de leur fabrication aux fabricants de sucre qui, par une déclaration faite au bureau de la Régie cinq jours au plus tard après la promulgation de la présente Loi, renonceront au bénéfice de la prime sur les sucres obtenus en sus de la prise en charge légale.

* Vol. LXXXII, page 1022.

L'avant-dernier paragraphe de l'Article 1^{er} ci-dessus est applicable aux sucres représentant ce déchet.

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme loi de l'État.

Fait à Paris, le 29 Juin, 1891.

CARNOT.

Par le Président de la République :

ROUVIER, *le Ministre des Finances.*

JULES DEVELLE, *le Ministre de l'Agriculture.*

LAW of the German Empire, concerning the Taxation of Sugar.

—Berlin, May 31, 1891.

(Translation.)

WE, Wilhelm, by the grace of God, German Emperor, King of Prussia, &c., command in the name of the Empire, and with the consent of the Bundesrath and the Reichstag, the following:—

FIRST PART.—TAXATION OF HOME-GROWN BEET-ROOT SUGAR.

First Division.—General Provisions.

1. Subject, Assessment, and Amount of Tax.

§ 1. Home-grown beet-root sugar is subject to a tax on consumption (sugar tax), and to the control of the Excise officers in order to secure this tax. In accordance with this Law, home-grown beet-root sugar comprises every kind of sugar in a solid or fluid state, produced in the country by the preparation of beet-root, or by the further preparation of products derived from beet-root, including juice, fillings ("Füllmassen"), residues ("Abläufe"), (syrup, molasses), without taking into consideration whether, in the manufacture, any other saccharine matter or sugar was used. Under the expression "further preparation of products of beet-root" is understood the extraction of sugar from or refining of residues (syrup, molasses), the refining of raw sugar, the dissolution of solid sugar, or inversion.

§ 2. The sugar tax upon 100 kilog. net weight amounts to 18 marks.

Beet-root juice, and the residues from the preparation of sugar, are not subject to the sugar tax. The Bundesrath is entitled to place under the sugar tax, either at the full rate or a lower one, sugar residues, beet-root juice, and any mixtures of the same, or of the same together with other material, in so far as these substances are

not prepared at home and used exclusively for household consumption.

The provisions concerning the matter, and the amount of the sugar tax, fixed by the Bundesrath according to the following § 3, are to be laid at once before the Reichstag should it be sitting; otherwise, at its next assembly. These provisions are to be in abeyance should the Reichstag so order.

2.—Concerning Liability for Payment.

§ 3. The sugar tax is to be paid at the time that the sugar passes from the control of the Excise officers into the open market. The person who has the free disposal of the sugar is bound to pay this tax.

The sugar is a guarantee for the amount of the tax, without taking into consideration the rights of any third person.

The sugar manufacturers in the case of § 6, clause 1, form a guarantee to the same extent for the tax, or for the refund.

Upon giving security, a respite of the tax may be granted. For a term not exceeding three months respite may be granted without security when there is no reason to believe that the payment of the tax is endangered.

3.—Term of Prescription.

§ 4. All claims or after-claims with reference to the sugar tax, as well as any demand for the recovery of over-paid or wrongly-paid sugar tax, are barred after the expiration of one year, reckoning from the day the payment was due, or the day the payment was made, as the case may be.

Any demand for payment of amounts avoided by frauds is barred after the expiration of three years.

These terms of limitation are not applicable to any remedy which the State may have against Excise officers.

4.—Exemption from the Sugar Tax.

§ 5. Sugar which is exported under the control of the Excise officers is exempt from the sugar tax. The sugar tax is not refunded on sugar exported from the market.

§ 6. Special provisions made by the Bundesrath may provide that—

1. In the case of the exportation of manufacturers for the preparation of which home-grown beet-root sugar was used, or in case of the storing of such goods in duty-free warehouses, the sugar tax is not to be levied, or in case it has been already levied, can be refunded.

2. In the case of home-grown beet-root sugar being used as food for cattle, or in the preparation of goods other than articles of consumption, the tax is not levied.

Home-grown sugar which is used for the purposes designated under (2) must, as a rule, be made unfit for human food ("denaturirt"), under official supervision, before it can be exempted from duty.

Second Division.—*Excise Control over the Preparation and the Storing of Untaxed Home-grown Beet-root Sugar.*

I.—*Control of Sugar Factories.*

1.—*Definition of the term "Sugar Factories."*

§ 7. Under the term "sugar factories" are included all the establishments for the preparation of crystallized sugar, with the exception of establishments engaged solely in the further preparation of those beet-root products which have been already taxed.

The Bundesrath decides in how far factories engaged in the working of beet sugar other than crystallized are to be considered as sugar factories under this Law.

2.—*Arrangements and Orders with which the Owner of the Factory ("Fabrikinhaber") must comply with reference to Control.*

(A).—*On the Safe Structural Arrangement of Sugar Factories.*

§ 8. Sugar factories must be so constructed that the official control can easily prevent the secret abstraction of sugar, and that the Excise officials can follow the progress of the manufacture, and can control the storing of the manufactured article in the factory.

(a.) Sugar factories preparing crystallized sugar, with the exception of those existing prior to the 1st August, 1888, require either—

1. The separation of those rooms in which the crystallization of juice, the extraction and the storage of crystallized sugar, takes place, as well as those rooms in which sugar residues (syrup molasses) are kept, from the other departments of the factory and from the outside.

2. Or the inclosure of the whole ground occupied by the factory.

The owners are also bound, when required, to establish watch-houses for the superintending officers within or without the factory, in order to facilitate the watching of the working, and other opera-

tions of the factory. With reference to the arrangement specified under No. 1, it is permissible that sugar residues, permanently or while the sugar factory is under permanent control, be left in unlocked rooms, and that crystallized sugar, also kept unlocked, may be stored in rooms suitable for Excise control, and on which an official lock can be placed by those authorities.

(b.) With reference to sugar factories which do not prepare crystallized sugar, the Bundesrath decides what requirements are to be made with regard to the safe construction of such sugar factories, and the nature of those requirements (comp. § 25, under No. 2).

§ 9. With reference to the construction mentioned in § 8, *sub (a)* (1) and (2), the following provisions are in force:—

I.—*Reference to No. 1.*

The number of outside entrances leading to the locked rooms of the factory (door entrances, goods ways, and such like), as well as the number of inside entrances within the boundary wall (wall, wire fence, wooden palings, &c.), is to be limited so as not to exceed the number indispensable for the operations of the factory.

The outside entrances, and, so far as the Excise officers demand it, the inside entrances, must be provided with safety doors—spring-doors, or other contrivance of that kind—and be made capable of receiving a lock belonging to the Excise.

2. The windows and similar openings of the rooms to be locked are to be made secure by iron rails or iron wire. Provision for the safety of the upper floors and the roof may be dispensed with, in whole or in part, by the Excise authorities.

II.—*Reference to No. 2.*

3. New inclosures must be so planned that no building inside or outside is situated less than 5 metres from the inclosure. The same minimum distance must be observed on the future erection of buildings inside or outside of newly-constructed or of former inclosures. Exceptions are admitted for factories which were constructed before the 1st August, 1888.

4. As a rule, the inclosures must be at the least $2\frac{1}{2}$ metres in height, and must consist of stone walls or iron fences (rails, wire).

5. With reference to the number of the entrances made in the inclosure, the provisions of I, No. 1, are applicable.

6. It is admissible that the inclosure be formed in part by buildings. They must be safely erected, looking on to the factory-yard, or to the outside, so that the existing entrances can be done away with, or can be put under official lock and key; and

that the windows and the like are protected in accordance with the provisions of I, No. 2.

§ 10. The owner of a sugar factory is bound to satisfy the demands which are made, according to the provisions of §§ 8 and 9 of this Law, and of the executive provisions of the Bundesrath, by the Excise officials respecting the arrangement, alteration, and repair of all buildings. Alterations in buildings erected according to regulations may only take place when permission for the same has been applied for and granted by the fiscal authorities.

The watch-house of the Superintendents (comp. § 8, under (a)) must be cleaned, lighted, and warmed by the owner of the factory.

§ 11. The prime cost of the fittings according to §§ 8 and 9, with the exception of the cost of fitting rooms reserved for the warehousing of crystallized sugar in the factories designated in § 8, under (a) 1 (comp. same, clause 3), will be allowed to the owner of the factory by the Reichs Casse when the arrangements have been ordered by the Excise authorities, either—

1. For sugar factories already in existence before the 1st August, 1888, in which the new arrangement has not been before demanded;

2. For factories existing on the 1st August, 1892, the proprietors of which were not bound to observe the Regulations for security in building according to the Sugar Tax Law of the 9th July, 1887.

Should the Excise authorities subsequently demand an alteration or a completion of the fittings originally constructed, for which a grant has been allowed from the Reichs Casse, when recent alterations are not the reason for the demand, the prime cost of the new building operations must be refunded to the owner of the factory by the Reichs Casse.

The compensation can, however, be refused after the application has been made, when the owner of the factory or one of his responsible representatives has been convicted of defrauding the sugar-tax revenue (comp. § 58).

(B.)—Offices and Waiting-rooms for Excise Officers.

§ 12. The owners of sugar factories must—

1. Provide suitable offices, furnished with necessary appliances for carrying on official work, according to the requirements of the Excise authorities;

2. Provide, when required, a suitable and adequately furnished apartment for the use of those Excise officers employed in the factory when off duty, and when requiring sleeping accommodation. The owner of the factory is responsible for the repair, cleaning, lighting, and heating of this apartment.

In necessary cases, in the country, the owner of the factory is bound to provide lodgings, according to the regulation of the Excise authorities, for those officials who are permanently employed in the superintendence of the factory. For the building designated under No. 2, and for the payments incurred thereunder according to clause 2, as well as for the lodging designated in paragraph 3, a grant will be made by the Excise authorities, the amount of which, failing a decision by the local authorities, will be decided by the higher administrative authorities.

(C.)—*Concerning Weighing Arrangements.*

§ 13. The owner of the factory has to provide weighing machines and weights for the purpose of the official control and release. These weighing machines are to be provided and erected according to the requirements of the Excise authorities.

(D.)—*Prohibition of Work on account of the Insufficient Arrangement of the Sugar Factory.*

§ 14. When the demands of the Excise authorities with respect to the provisions as to fitting up contained in §§ 8–13 have not been satisfied, the Excise authorities are empowered to stop the working of the factory, or to prohibit the use of certain rooms or appliances.

(E.) *Notices with regard to Rooms and Appliances.*

§ 15. Whoever wishes to erect a sugar factory must, before commencing operations, submit the building plan to the Excise authorities, and must obtain their approval as far as regards the interest of the Excise.

The Excise authorities are in particular to give directions as to the provision made in building for security according to §§ 8 and 9. These regulations are of equal application when a rebuilding of the factory is intended.

§ 16. The factory owner must, within six weeks of the commencement of working a new or rebuilt sugar factory, submit to the Excise office of the district information regarding the premises belonging to or connected with the factory, or which are joined directly thereto, which information must be accompanied by a description and by a ground plan of the premises. For factories which are secured by a fence (§ 8 under (a) 2) is to be added a description of the ground which serves as a boundary.

Information of the same kind is to be furnished by the owners ("Inhaber") of existing sugar factories six weeks before the first

operations which take place after the 30th July, 1892, at the latest.

§ 17. Alterations in those rooms in a sugar factory erected according to § 8 (under (a)) within the closed departments, can only be made with the permission of the Excise authorities.

The completion of alterations in regard to buildings made for the security of the factory (§ 10, clause 1), or with regard to those premises described in the preceding clause, as well as the commencement and conclusion of intended alterations in other rooms, must be made known to the Excise authorities by a written communication within three days.

§ 18. The owner of a factory may be bound by a decision of the Bundesrath to furnish the Excise authorities with information concerning fixed appliances intended for use in the manufacture of sugar, as well as notices as to any alteration in these appliances; he is further to see that these articles are numbered, and as far as they are used for obtaining beet or sugar liquor for the working of the same, for the reception of the sugar residues, or for similar purposes, to see that they are marked with their content in litres.

(F.)—Notice of Change of Ownership.

§ 19. In the case of change of ownership in a sugar factory, a written notice of the same is to be given to the Excise authorities within one week by the new owner, and in the case of the voluntary transfer of the property, by the former proprietor as well.

(G.)—Appointment of Manager.

§ 20. Corporations and Companies which possess sugar factories, as well as other owners ("Inhaber") who do not personally conduct the work of the factory, are to make known to the Excise officials the person who conducts the business of the factory in their name and by their order.

(H.)—Notices connected with Working a Factory.

§ 21. The owners of sugar factories for working beet-root must communicate in writing to the Excise authorities the date of the commencement of the period of working at least one week before such commencement takes place.

A corresponding notice is to be given by the owners of other sugar factories before they are opened for the first time, or on reopening after the 31st July, 1892. The notice must contain information as to whether regular interruptions occur in the working, the length of such interruptions, as well as of the daily

working time. Seasonable notice in writing is to be given to Excise authorities respecting any alterations. Should other interruptions in addition to those already provided for occur in working, the commencement of such interruptions, and the date when the work is resumed, is to be communicated beforehand to the Excise authorities in writing.

§ 22. Before work is commenced in a sugar factory, or before work is recommenced after the 31st July, 1892, the owner of the factory is to submit to the Excise authorities a description of the technical nature of the manufacture, in which must be specially described the kind of beet-root sugar (comp. § 1, clause 2) which will be manufactured.

In case of any alteration the description is to be revised or renewed.

(I.)—*Duplicates of prescribed Notices.*

§ 23. Duplicate copies of the notices prescribed in §§ 16-17, 21-22, &c., are to be delivered, the returned copy to be preserved in the factory, and to be kept at the disposal of the controlling officers.

3.—*Execution of Control.*

(A.)—*Permanent Control of Sugar Factories.*

§ 24. Sugar factories are subject to the continuous control of Excise officers by day and night as long as work is carried on, also during the intervals of rest, according to the regulations of the Excise authorities.

The severity of the control of the factory may be increased at the expense of the factory owner when he, or any person to whom he has given the responsibility of representing him, has been punished for defrauding the sugar revenue, and against whom the suspicion of unlawfully abstracting sugar is entertained.

§ 25. In the place of the permanent control, any other suitable control may be substituted by special provision of the Bundesrath :

1. For those factories of crystallized sugar which have existed since the 1st August, 1888, in which new building operations for security have not been demanded, so long as this Law is in force (comp. § 8, *sub (a)* in the beginning) ;

2. In such factories as do not manufacture crystallized sugar (comp. § 8, *sub (b)*).

(B.)—*Locking of Entrances during Permanent Control.*

§ 26. During the permanent control of the sugar factory, the outside and inside entrances of the factory, so far as they are not

necessary for the usual purposes, are to be kept locked, to be further secured by an official lock if required, and only to be opened for the time necessary for their use. The Excise authorities decide how many and which entrances are to be left unlocked at night.

(C.)—*Regulations to be taken for Security during the Discontinuance of the Permanent Control.*

§ 27. Orders are issued by the Excise authorities to secure that, during the discontinuance of the permanent control, work is not carried on in the factory, and that no sugar is removed without the knowledge of the Excise authorities. The special regulations require that all appliances should be placed under official lock and key, and that the sugar in the factory is officially locked up.

Should the permanent control be discontinued for any length of time, a statement must be made out by the officials concerning the sugar in stock (§ 29, clause 1), and a declaration verifying the same must be made by the owner of the factory. After this, the sugar must be secured by official lock and key.

The regulations respecting duty-free warehouses (§ 40) are applicable to the storage of sugar during the time of the discontinuance of permanent control.

(D.)—*Measures to be taken with regard to the Interruption of Work by Accidents.*

§ 28. Should an interruption of work take place through an accident to the factory, the Excise authorities, in order to secure the interests of the revenue, authorize the adoption of such special measures as are necessary for this purpose.

(E.)—*Storehouses for Sugar.*

§ 29. Finished sugar of every kind, especially crystallized sugar (raw sugar of the first and second class, edible sugar in loaves, blocks, flats, sticks, cubes, grains, powder, &c.), as well as sugar residues (syrup, molasses), are only allowed to be stored in rooms the use of which for this special purpose has been applied for in writing, and has been granted by the Excise authorities. This application must be accompanied by a duplicate.

The owners of sugar factories (fenced according to § 8, under (a) 2) are obliged for the time during which the permanent control is discontinued (comp. § 27) to warehouse the store of finished sugar, and the stock of sugar residues, in rooms on which an official lock has been placed.

(F.)—Control of Sugar in the Factories.

§ 30. A written declaration is to be given to the Excise authorities as to the quantity and nature of home-grown beet-root sugar, or of any other sugar introduced into the sugar factory, and such sugar is to be submitted to the authorities for verification. At the verification of sugar which has arrived in bond, or in officially closed receptacles, the weight as previously officially ascertained may be taken as correct.

In factories of unrefined sugar the weight of the unrefined sugar that has been obtained is to be stated by the owner in connection with the statement of waste.

(G.)—Accounts of the Proprietor.

§ 31. The owners of sugar factories are bound to fill in the forms prescribed by the Excise officers, which account for the total working of the factory, especially for the quantity and kind of the saccharine materials and sugar used, as well as for the realized products in the different stages of the manufacture. These notes must be kept at the disposal of the Excise officers; extracts therefrom must be sent in to the Excise authorities at certain periods fixed by them. The owners of factories are bound to report to the Excise authorities what means have been taken for fixing the quantity of the saccharine material and sugar used, as well as the realized products, and when those means are applied (comp. § 30, clause 2).

The owner of the factory is bound to make a special annual statement as to the sugar in stock on the 31st July, and to transmit the same to the Excise authorities.

The notes (in addition to the special forms referred to in the first part of this paragraph) of every kind (books, registers, short notes, &c.) concerning the manufacture, its results and the consumption of the products, with the sole exception of those books which are exclusively money accounts, &c., are to be laid on demand at any time before the superior officers of the Excise Administration.

(H.)—Right of Verification by the Excise Authorities.

§ 32. The Excise officers are entitled to visit the factory for the purpose of verification at any time when it is working or under the permanent control (comp. § 24), and at other times from 6 o'clock A.M. to 9 o'clock P.M. In case the factory is closed, they can demand admission at once. All rooms in the factory are subject to the inspection of the Excise officer, as well as all rooms in the adjacent buildings. The restriction as to time ceases whenever danger of any kind is considered imminent.

In case of prosecutions for offences against this Law, or against the Executive Ordinances published in connection with it, the regulations in §§ 126-127 of the Federal Law on Taxation ("Vereinszollgesetz") will be applied to the premises of the factory, and, if required, to a surrounding district to be designated by the higher fiscal authorities of the State concerned; the place in question being treated as if it were a frontier district.

§ 33. Any information respecting the work of the factory requisite in the interests of the revenue must be given to the revising officers, notwithstanding their right to inspect the books connected with the factory (§ 31). Samples of saccharine material, and sugar brought to the factory, as well as all the products prepared in the factory (beet-root juice, sugar solutions, sugar residues, crystallized sugar, &c.), must be given to the Excise officers on demand and according to their special orders. The officers are entitled to control the statement of weight, designated in § 31, paragraph 2, as well as to measure the cubic contents of the vessels used in the factory.

(I.)—*Assistance rendered to Excise Officers when on Duty.*

§ 34. The owners of sugar factories are bound to render assistance, or to allow assistance to be rendered, to Excise officers when weighing the material or when putting on the official lock, and when establishing the facts connected with illegal practices. They are to assist in all and every official transaction requisite for the control and levying of the tax, so that the officers may transact their business within the prescribed limits.

Care must specially be taken that proper light is provided, and that the material for officially closing rooms, &c., is forthcoming.

The owner of the factory is bound on demand to provide shelter for the horses and conveyances of the officials during their visit.

(K.)—*Obedience to Regulations.*

§ 35. Not only the owner of the factory and his representative, but every person engaged in the factory or present therein is subject to the provisions of this Law, and to its administrative prescriptions. As a rule, the owner of the factory must not allow any other person to enter the rooms where the extraction, further preparation, packing, and storing of the crystallized sugar is effected, except those who are there employed.

Employers or workmen in a sugar factory who have been punished for defrauding the sugar-tax revenue must be dismissed on demand of the Excise officers, and such persons are not allowed to

be taken on or kept at another factory after a protest by the Excise authorities.

II.—*Payment of the Tax on Sugar and its Dispatch from the Factory.*

1.—*Notice as to readiness of Sugar for release.*

§ 36. A written notice must be given by the owner of the factory to the Excise authorities as to sugar ready for release or taxation ("abfertigung"), which notice must contain a statement of the kind and quantity of the sugar, and the circumstances under which it is to be released. To this notice a duplicate must be added when the sugar is to be released for any other purpose than for the open market.

2.—*Release of Sugar for the Open Market.*

§ 37. The weight of sugar subject to the tax, and destined for the open market, must be taken by the excise officers. The weight of the sugar may be taken from that of selected portions. The Bundesrath fix the percentage of the gross weight according to which the net weight may be calculated.

The payment of the tax can be transferred to another Excise office by means of Pass No. 2 respecting sugar, to which the regulations for Pass No. 2 are then applicable.

§ 38. The Bundesrath is empowered to make provision for certain facilities with regard to the issue of sugar, on payment of the tax, to persons living within the factory. Provision can also be made to prevent the sugar allowed in such dwellings from exceeding a certain quantity per head.

3.—*Release of Sugar not destined for the Open Market.*

§ 39. Sugar which, when leaving the factory, is not destined for the open market, must be dispatched, as a rule, with the Sugar Pass No. 1. This method is in particular applicable to—

1. The transfer of untaxed sugar to—

(a.) Another factory ;

(b.) A factory authorized to prepare sugar manufactures from untaxed sugar for exportation ;

(c.) A factory allowed to use natural ("undenaturirt") sugar for the preparation of manufactures other than those for human consumption ;

(d.) A duty-free sugar warehouse.

2.) The exportation of untaxed sugar.

The Regulations of the Federal Taxation Law ("Vereinszollgesetz"), and the executory directions therein regarding Pass No. 1, are applicable to Sugar Pass No. 1.

III.—*Duty-free Warehouses for Sugar.*

§ 40. Duty-free warehouses are allowed in order—

1. To prevent the tax being levied on free sugar and on goods prepared with untaxed sugar for the purpose of exportation ;
2. To permit the repayment beforehand of the sugar tax on sugar used in preparing goods for exportation.

Public and private warehouses under joint private and official lock, used for warehousing either exclusively home-grown beet-root sugar and manufactures containing such sugar, or for foreign duty-free manufactures as well, may be used as duty-free sugar warehouses.

On withdrawing manufactures from the warehouse for the open market, the amount of the tax allowed thereon must be paid again.

The Bundesrath decides all the details concerning duty-free warehouses, especially those concerning their certification as such, and the arrangements for security, the declaration as to sugar going to or from the warehouse, the treatment admissible during the storage, and the responsibility of the owner of the warehouse.

The Bundesrath is also empowered to permit the storage of untaxed sugar in warehouses which are not under joint private and official lock, and to fix the conditions of this storage.

IV.—*Fees due for Release of Sugar by the Excise.*

§ 41. The official release of sugar is free of charge, when effected at the Excise office, in factories, or at the private warehouses situated in the grounds of the factory, in so far as it takes place on week days within the limits of the hours fixed for the purpose.

The Bundesrath decides in what respect, and to what extent, fees or contributions towards the cost of administration may be charged for other official acts.

Third Division.—Control of Factories for further preparation of Taxed Home-grown Beet-root Sugar, and of those preparing Starch Sugar, and other Factories assimilated to them.

The owners—

- § 42.—1. Of factories in which sugar is made by the further preparation of taxed home-grown beet-root sugar (*e.g.*, is refined) ;
2. Of factories in which the residues of inland beet-root sugar (syrup, molasses) are refined ;
 3. Of factories in which beet-juice is prepared from beet-root ;
 4. Of factories preparing starch sugar ;
 5. Of " maltose " factories ;

Are bound to give a written notice to the Excise office of the district, announcing the existence of such institutions not later than the 1st August, 1892, and should the factory be established at a later period, this notice must be given within a fortnight previous to commencing work.

Any change of proprietorship, or the transfer of the work of the factory to other premises or to another locality, must be also announced within fourteen days. In case of changing to another Excise district, this notice must be given to the Excise office in the latter district.

The superior Excise officers are empowered to pay visits at any time to the factories above mentioned, in order to take cognizance of the work carried on in them. The books referring to the working of the factory must be laid before them when demanded.

Proprietors of factories mentioned in the first heading under the figures 1-5 come under the regulations of § 31, paragraph 1.

The superior Excise officers are also empowered, under paragraph 2, to inspect those factories whose owners are permitted to prepare sugar manufactures for exportation from untaxed sugar, or from taxed sugar, the tax on which the manufacturer may claim to have refunded to them, and also those factories whose owners are permitted to use duty-free sugar for the preparation of manufactures other than those for human consumption.

The Bundesrath can extend these Regulations 1-3 to those factories not included in No. 1 in which saccharine or similar substances are prepared or mixed with starch, sugar, and the like.

Fourth Division.—*Penal Provisions.*

1.—*Definition of the expression "Defraudation of the Sugar-tax Revenue."*

§ 43. Whosoever attempts—

(a.) To evade the sugar tax;

(b.) To obtain repayment of the sugar tax (§ 6 (1), § 67), or of a grant (§ 68) which is illegal, or which can only be demanded for a smaller quantity, or at a lower rate; or

(c.) To avoid the repayment of a refund of the tax (§§ 40, 67), or that of a grant;

Is guilty of a defraudation of the sugar-tax revenue.

If in case of (b) the declaration as to the quantity of sugar existing does not exceed the quantity of sugar, as ascertained on verification, by more than $\frac{1}{2}$ per cent., no penalty is inflicted.

§ 44. The defraudation of the sugar-tax revenue is specially considered as committed—

1. If in a factory the working of which contrary to § 21 is not announced to the Excise authorities, or the working of which is forbidden according to § 14, beet-root, syrup, or molasses are prepared in such a way as to produce sugar liable to the tax.

2. If appliances the bringing into use of which contrary to the regulations of the Bundesrath (§ 18) has not been announced to the Excise authorities, or if rooms or appliances forbidden under § 14 are used for the preparation (designated under No. 1) of beet-root sugar (syrup, molasses).

3. If appliances, after being put out of use by the Excise authorities, are unlawfully used again in the factory for the purpose mentioned in No. 1.

4. If sugar be unlawfully removed from the working rooms of a factory, or from rooms destined for its storage, or be unlawfully used therein.

5. If, without previous notice to the Excise authorities, sugar be removed from a factory.

6. If sugar, while under the control of the Excise, be unlawfully disposed of.

7. If sugar which for certain purposes has passed free of tax is used for other purposes, or if sugar rendered unfit for human consumption ("denaturirt") is again rendered fit for such use.

8. If on the declaration of sugar manufactures for exportation, or warehousing with a demand for the remittance of the tax on account of the quantity of taxed sugar employed (§ 6, No. 1)—if this quantity is given more than 10 per cent. too high—or if on the declaration of sugar liable to the tax for use in the open market, or for bond, the quantity is given more than 10 per cent. too low.

Differences in weight up to 10 per cent. are not punishable.

§ 45. That person is considered guilty of a defraudation of the sugar-tax revenue who obtains possession of, or who brings into the market, sugar which he knows, or which from the circumstances he must believe, has not paid the legal tax.

§ 46. Proof as to fraudulent avoidance of the sugar tax is founded in the cases provided for in §§ 44 and 45 on the facts there designated.

If, however, the facts prove that a fraudulent avoidance of the sugar tax could not have been committed, or that such defraudation was unintentional, a disciplinary fine in accordance with § 52 will alone be inflicted.

2.—Penalty for the Defraudation of the Sugar-tax Revenue.

§ 47. He who is convicted of a defraudation of the sugar-tax revenue is liable to a fine not exceeding four times the amount of

the tax which he has failed to pay, or four times the sum of the amount of remission unlawfully demanded. The minimum sum is 30 marks for each single case. In addition to the fine, payment of the tax, or of the amount of remission unlawfully received, is also demanded.

The sugar tax withheld, and the fine thereon (in cases under § 44, Nos. 1 and 2), is to be calculated according to the quantity of sugar which could have been prepared with the machines and utensils within three months previous to the day following the discovery, unless a defraudation to a greater extent is discovered, or it is proved that the working of the factory was proceeding on a smaller scale.

In the case of § 44, No. 3, and under the same supposition as at the end of the preceding paragraph, the sugar tax withheld, and the fine, is calculated according to the quantity of sugar which could have been prepared, from the hour at which the forbidden utensils were last found under official lock, to the hour of the discovery.

In case the amount of the sugar tax so withheld cannot be fixed, a fine varying from 30 marks to 10,000 marks can be imposed.

Any one convicted of aiding and abetting a defraudation is liable to a fine not exceeding 150 marks.

3.—*Augmented Penalty for Repeated Offences.*

§ 48. In the case of a second conviction for defraudation of the sugar-tax revenue, the fine prescribed in § 47 will be doubled. In every further case of conviction the offender will be punished with imprisonment not exceeding three years. However, according to judicial opinion, and taking into consideration all the circumstances concerning the offence, as well as the preceding cases, imprisonment or a fine for the double amount prescribed for the first relapse may be inflicted.

§ 49. The increased penalty for relapse follows without consideration as to whether the illegalities were committed in the same Federal State. It is due, too, even when the former penalty has been but partly completed, or has been partly or altogether remitted; but it is not due when a period of three years shall have elapsed between the time of the completion or remission of a former penalty and the committal of the new offence.

4.—*Augmented Penalty on account of Aggravating Circumstances.*

§ 50. In the cases referred to in § 44, Nos. 1, 2, 3, the penalty for defraudation is increased by one-half. The increased penalty is also inflicted if the fraud is committed by breaking open or tampering with the official fastening.

5.—Disciplinary Penalties.

§ 51. Whosoever unlawfully alters or damages the apparatus used for securing a sugar factory without the intention of defrauding the sugar-tax revenue (comp. § 8, under (a), Nos. 1 and 2), or damages an official fastening placed in a sugar factory or on rooms in which untaxed home-grown beet-root sugar is stored, or on consignments of sugar, is liable to a fine varying from 25 marks to 1,000 marks.

§ 52. Any breach of this Law, and of the administrative prescriptions under the same, and publicly or specially known to the persons concerned, is punished by a disciplinary fine not exceeding 300 marks, in case no special penalty has been prescribed.

§ 53. Disciplinary penalties are inflicted in accordance with § 52 on whomsoever—

1. Offers, promises, or grants presents or other advantages to officers bound to protect the sugar tax, or to members of his family, for the performance of or omission of any official act connected with the tax, in so far as the circumstances foreseen by § 333 of the Penal Code do not arise;

2. Is guilty of acts or of omissions by which such an officer is hindered in the execution of his duty in protecting the sugar tax, in so far as the circumstances foreseen by §§ 113 and 114 of the Penal Code do not arise.

6.—Concerning Penalties on Owners and Managers of Sugar Factories.

§ 54. If it be discovered that a factory contains secret arrangements specially prepared for obtaining or storing sugar, the owner of the factory, as such, is liable to a fine of 500 marks to 5,000 marks, and this independently of the prosecution of the actual perpetrator of the offence.

The owner of a factory is, as such, liable to a fine of 25 marks to 250 marks in case an official fastening is tampered with. These fines can only be inflicted when it is proved that the offence was committed with the sanction or knowledge of the owner of the factory.

§ 55. If the sugar factory is in the possession of a Company or Corporation, the manager of the factory engaged within the terms of § 20 is subject to the same responsibility with regard to penalties as that to which the proprietor is liable under § 54.

In other cases where the proprietor of a sugar factory is not manager of the same, he is allowed to petition the Excise authorities for a transfer of the above-mentioned penal responsibility to an authorized manager (§ 20) acting in his name and by his order. If

the petition is sanctioned, the penal responsibility passes to the manager. This sanction may at any time be cancelled.

The penalties in § 54, under paragraphs 1 and 2, are only inflicted when it is proved that the offence was committed with the sanction or knowledge of the manager.

§ 56. Should the owner of a factory be convicted a second time for defraudation, the manufacture of sugar by him, or by others for his advantage, is forbidden for ever thereafter.

Exceptions may be made to this rule by the Excise authorities in favour of the guilty party at their discretion.

7.—Executive Measures.

§ 57. The Excise authorities are empowered, notwithstanding the imposition of any disciplinary penalty, to enforce obedience to the orders made on account of the provisions of this Law, or on account of administrative regulations issued in pursuance of those provisions, by the institution and infliction of fines under administrative process up to 500 marks. They are also empowered, should the person bound to take any prescribed measure omit to do so, to take such measure themselves at the cost of such person.

The sums thus expended are recovered under the same procedure as customs dues, and with the priority of the latter.

8.—On the subsidiary Responsibility of Third Parties as Representatives.

§ 58. The owners of sugar factories, as well as other persons engaged in industry and trade, are responsible for their administrators (managers, &c.), assistants, and those domestics or workmen who are in a position to influence the manufacture, as regards fines in which persons represented have been mulcted for breach of this Law and the administrative orders issued under it, as well as in regard to withholding the sugar tax, as far as laid down by the following provisions:—

1. The responsibility as to fines is incurred if—

(1.) The fine cannot be levied on the actual culprit on account of his inability to pay, and when at the same time it is proved that—

(2.) The person engaged in industry or trade has been negligent in the choice and appointment of superintendents and assistants, or in the superintendence of the persons in question, and of the domestics mentioned at the beginning of this section, *i.e.*, has not taken the care in those respects incumbent on a business man.

In particular, the engagement or retention of a superintendent or assistant, with knowledge that he has been before punished

for defraudation of the sugar-tax revenue, is held to be negligence, unless a special permission for the engagement or retention of such a person has been granted by the highest financial authority of the State.

Should the owner of a factory have been punished for having himself defrauded the sugar-tax revenue, and should it have been shown that it was done with the intention of paying less than was due, the suspicion of negligence will rest on him until he has proved that he has bestowed on the choice and appointment of the staff mentioned at the beginning of this section the care incumbent on a business man.

2. The person carrying on the industry or trade answers, in regard to the unpaid tax, with his estate for the persons mentioned in 1, in case the tax cannot be obtained from the real culprit on account of his inability to pay it.

In those cases, however, in which the unpaid tax is estimated solely on the presumptions set forth in this Law (§ 47, paragraphs 2 and 3), the subsidiary responsibility of the person carrying on the industry or trade comes in only when the hypothesis stated in 1 (2) obtains.

3. The person carrying on the industry or trade can only be mulcted in a fine imposed in a case of subsidiary responsibility under the provisions of 1 by a judicial sentence.

The same obtains in regard to the payment of the amount of tax unpaid in cases where such amount is estimated on presumptions set forth in this Law.

4. The above Regulations respecting an amount of tax unpaid apply equally to an amount of refunded tax to be repaid (§ 47, paragraph 1).

5. The right of the Excise authorities to imprison the actual culprit in the case of his inability to pay a fine, instead of, and on renouncing, the imposition of a fine on the person subsidiarily responsible, is not affected by the foregoing provisions.

9.—Concerning simultaneous Punishable Actions.

§ 59. In case of several or repeated offences against the provisions of this Law only punished by disciplinary penalty, the penalty shall be imposed in one amount on the culprit, as well as on his accomplices, when the offences have been of the same kind, and have been discovered simultaneously.

10.—On Imprisonment in Default of Fines.

§ 60. The conversion into punishment by imprisonment of fines which cannot be paid is governed by §§ 28 and 29 of the Penal

Code. The longest term of imprisonment for a repeated defrauda-
tion of the revenue is two years, and for offences punishable by
disciplinary penalty, and cases referred to in § 57, three months'
imprisonment.

11.—*Barring by Prescription.*

§ 61. The limit of time after which persons cannot be punished
for defraudation of the sugar-tax revenue is three years; for offences
punishable by disciplinary penalty, one year.

Prosecution under provisions in §§ 54 and 55 is barred by
prescription at the same time as that of the actual culprit.

12.—*Penal Procedure.*

§ 62. With regard to the proof, examination, and sentence
respecting any breach of this Law or of the administrative regula-
tions issued under it, and respecting any mitigation or remission
under a pardon of penalties inflicted for the breach of the same, the
same regulations are in force as in the case of offences against the
Customs Laws.

The superintendents of the Central Excise may order the stock-
taking of the finished sugar in factories, whenever the suspicion is
strongly entertained that sugar in considerable quantities has been
carried off secretly.

§ 63. The fines due under the provisions of this Law fall to the
Treasury of that State the authorities of which have inflicted
them.

§ 64. The inquiry ordered, and the condemnation pronounced
by any authority competent under § 62 in respect of any breach
of this Law and of the administrative regulations issued under it,
can be extended to accomplices who belong to other States of the
Empire.

The execution of the penalty is, if necessary, to be effected by
the petition of the competent authorities and officials of the State in
whose territory action is taken for executing such penalty.

The authorities and officers of all States of the Empire shall
render to each other active assistance without delay in all legal
measures taken as to prosecution for breach of the Law.

SECOND PART.—IMPORT DUTY ON SUGAR.

§ 65. From the 1st August, 1892, and onward, an import duty of
36 marka per 100 kilog. will be levied on solid and fluid sugar
of every kind.

"Sugar" includes: beet-root juice, fillings, and sugar residues

(syrup molasses). If foreign sugar is transferred under the control of the Excise officers to another sugar factory for further preparation, the authorities may permit the import duty to be levied at the rate obtained by deducting the sugar tax of 18 marks per 100 kilog., i.e., at a rate of 18 marks per 100 kilog., and the sugar to be treated as inland beet-root sugar for which no tax has been paid.

THIRD PART.—TRANSITORY PROVISIONS AND LIMITATIONS OF TIME.

§ 66. This Law comes into force on the 1st August, 1892. All existing legal provisions on the taxation of sugar on points covered by this Law are cancelled from the date above mentioned.

For territory situated outside the Customs frontier this Law will be enforced on the day of entry within the frontier, should the territory in question come to be included in the Customs frontier.

§ 67. For sugar of the following kind prepared before the 1st August, 1892 :—

(A.) Raw sugar, containing at least 90 per cent. sugar, and refined sugar containing less than 98 per cent., but at least 90 per cent. of sugar ;

(B.) Sugar candy, and sugar in white, full, hard, loaves, blocks, flats, sticks, cubes, or crushed in the presence of the Excise authorities; so-called crystals, and other hard transparent sugar in the shape of crystals containing at least 99½ per cent. of sugar ;

(C.) All other kinds of hard sugar, as well as all kinds of white dry sugar (containing not more than 1 per cent. of water) in the shape of crystals, granulated or powder, containing at least 98 per cent. of sugar not belonging to Class (B);

Repayment of the tax for a quantity not less than 500 kilog. is granted in case of exportation, or of deposit in the public warehouse, or of deposit in a private warehouse under joint private and official lock, according to the following rates :—

						Mk. pf.
Class (A)	..	..	..	..	..	8 50
„ (B)	..	..	..	..	..	10 65
„ (C)	..	..	..	..	..	10 00

per 100 kilog., on condition that the sugar is ready for official release by the 31st October, 1892, inclusive, and its identity officially preserved from the 1st August, 1892, up to the time of exportation or of warehousing.

Under the same condition that its identity from the 1st August, 1892, onwards has been officially preserved, home-grown beet-root sugar, subject to the sugar consumption tax, which up to the 31st October, 1892, inclusive, is ready for release into the open market.

is to be released at the rate of the former consumption tax of 12 marks per 100 kilog.

In case the sugar is released from a warehouse, the tax on the sugar in which has been paid, the repayment is to be refunded.

The fiscal treatment specified in paragraphs 1 and 2 is applicable, without official preservation of identity from the 1st August, 1892, to sugar presented for release by the factories in the months of August, September, and October 1892, on condition that beet-root is not prepared in such factories, and that no solid or fluid sugar or sugar residues, or only such as belong without doubt to the period before the 1st August, 1892, have been taken into such factories.

In factories preparing raw sugar by a process of extracting sugar from molasses, such that the addition of beet-root juice is necessary for the production of solid sugar, the stock of molasses will, on demand, be taken by the Excise officers on the 1st August, 1892, and the quantity of raw sugar ascertained, containing at least 90 per cent. of sugar, extractable from the molasses. The factory can, during the months of August, September, and October 1892, present for release the quantity of beet-root sugar thus fixed and prepared in the above-mentioned manner, and of the described quality, and can claim the fiscal treatment laid down in paragraphs 1 and 2.

Manufacturers preparing sugar manufactures for exportation, and claiming repayment of the tax, are entitled, on manufactures exported or warehoused, which are proved to have been prepared before the 1st August, 1892, and are presented for release before the 1st November of the same year, to the repayment which would be due to them under the Law of the 9th July, 1887,* and the Regulations issued under it for carrying it out.

The refund granted for goods taken out of the warehouse to the open market must be repaid.

§ 68. For the transitional period between the 1st August, 1892, to the 31st July, 1897, grants from the revenue of the sugar tax are given for sugar exported, or for sugar of the kinds mentioned in § 67, paragraph 1, *sub* A, B, C, exported or deposited in a public warehouse, or in a private warehouse under joint private and official seal, on condition that the quantity of sugar released amounts to at least 500 kilog., and when the sugar is not entitled to the repayment of the tax for material provided in § 67.

* Under that Law drawbacks on exported sugar, in quantities of at least 500 kilog., were fixed as follows:—

					Mk. pf.
In Class (A)	..	..	..	..	8 50
„ (B)	..	..	..	..	10 65
„ (C)	..	..	..	..	10 00

per 100 kilog.

The grant amounts to—

1. For sugar presented for release during the three years between the 1st August, 1892, and the 31st July, 1895:—

					Mk. pf.
In Class (A)	..	..	..	..	1 25
„ (B)	..	..	..	..	2 00
„ (C)	..	..	..	..	1 65

per 100 kilog.

2. For sugar presented for release during the two years between the 1st August, 1895, and the 1st July, 1897:—

					Mk. pf.
In Class (A)	..	..	..	..	1 00
„ (B)	..	..	..	..	1 75
„ (C)	..	..	..	..	1 40

per 100 kilog.

In case sugar is taken out of warehouse to the open market, or to a sugar factory, the grant allowed thereon must be refunded.

The sugar deposited is a guarantee to the Excise authorities for the amount of the grant, without taking into consideration the claims of any third party.

Given under our own hand and the seal of the Empire.

Berlin, May 31, 1891.

(L.S.) WILHELM.

VON CAPRIVI.

*TREATY of Commerce and Navigation between Brazil and Peru.—Signed at Rio de Janeiro, October 10, 1891.**

[Ratifications exchanged at Lima, March 18, 1896.]

(Translation.)

THE Republics of the United States of Brazil and Peru, mutually animated with the desire of facilitating commerce and river navigation in their territories, in the region of the Amazons and on their common frontiers, and of strengthening at the same time their fraternal ties, have resolved to set forth in a special Treaty the principles and bases of such commerce and navigation, and to that end have nominated the following as their Plenipotentiaries, that is to say:

His Excellency Manuel Deodoro da Fonseca, General-in-chief and President of the United States of Brazil, has nominated Dr. Justo Leite Chermont, Minister of State for Foreign Affairs; and

His Excellency Colonel Remigio Morales Bermudez, President

* Signed in the Spanish and Portuguese languages.

of the Republic of Peru, has nominated Dr. Guillermo A. Seoane, Envoy Extraordinary and Minister Plenipotentiary to the Government of Brazil;

Who, after exhibiting their full powers, which were found in good and due form, agreed upon the following stipulations:—

ART. I. The navigation of the rivers common to both Brazil and Peru, and that of the Javary and its tributaries, is free to Brazilian and Peruvian vessels, being subject to the regulations established, or which may be established, in the two countries.

II. These regulations should be of the most favourable nature to navigation and commerce, and should be as uniform as possible in the two Republics.

III. Vessels, when owned and manned according to the laws of the respective countries, will be considered Brazilian in the ports of Peru, and Peruvian in the ports of Brazil.

IV. The Republics of the United States of Brazil and Peru agree to declare free from any taxation whatsoever the communications between them, whether by river or by land, which afford means of transit from one territory to the other, the Fiscal and Police Regulations which may be established by the respective Governments within their jurisdictions being duly respected.

V. When, owing to the want of a direct line from the Atlantic to Peru, or from Peru to the Atlantic, transshipment of goods transported on direct manifests may become necessary at any Brazilian customs port, landing or opening of the packages at such port of transit will not be required, such packages being free from all taxes, as in the case of the direct line.

VI. When, transshipment not being effected, it may be necessary to delay the transit of the merchandize in any of the Brazilian or Peruvian river ports, they shall be deposited in special maritime or land warehouses.

In this case, the respective custom-house will receive the landing and warehousing dues as hitherto, in accordance with the legislation of each country.

VII. In order that the transport of the packages deposited may be continued, the consignee shall present a detailed list of the respective packages, in accordance with the manifest, the shipments to each person being stated integrally, without subdividing them, unless the party interested desires it, this being necessary for their proper accommodation.

This list must mention the numbers, marks, and counter-marks, gross weight, measurement, and contents of each package.

The packages subdivided will have the same marks, counter-marks, and numbers as the originals, with the addition of letters in alphabetical order.

VIII. The goods in transit will be delivered for transport after the formalities prescribed by the preceding clause have been complied with, and the consignee or forwarder has executed a bond of responsibility guaranteeing the respective fiscal duties, in case the goods do not reach their destination.

The cancelling of the responsibility referred to will be effected on production of a certificate from the custom-house to which the goods are destined, which document must be authenticated by the Consular authority.

For this purpose a reasonable period will be fixed in the bond of responsibility within which proof shall be exhibited of the arrival at their destination of the goods forwarded in transit.

IX. Exemption from executing bonds of responsibility is conceded to the consignees of goods in transit which are transported direct to Peruvian ports in vessels which do not touch at any intermediate ports except *Manáos* and *Tabatinga*.

The same exemption from executing bonds of responsibility is also conceded to the consignees who effect the transport of such goods in vessels which, although they touch at other intermediate ports, convey them in special compartments sealed by the Customs authority. These compartments may only be opened at the port of entry in presence of the Brazilian Consular authority.

In both these cases the presentation of the list referred to in the previous clause is dispensed with, clearance being effected simply by indicating the number of the packages and their marks and counter-marks.

X. Vessels engaged in transit trade will carry fiscal officers from both Republics according to the requirements of the customs service, in order to verify the destination of the goods.

XI. In connection with direct exportation from Peru to the Atlantic, involving transshipment or deposit at the Brazilian ports of transit, the same stipulations as in the foregoing clauses with regard to importation will be observed in the matter of documents proving the origin of the goods, when it becomes necessary to deposit them in the land or maritime depôts or warehouses, each Government omitting such of the measures within its competency as it may consider unnecessary.

XII. In order that the transit of export articles above alluded to may continue, the consignee will draw up the outward clearance in accordance with the respective custom-house certificates and manifest.

XIII. With the exception of using stamped paper, or affixing stamps, no tax will be levied for the documentary service in connection with clearance in transit of warehoused goods.

XIV. Brazilian products imported into Peru, and Peruvian

products imported into Brazil, by the Amazons, and such of its tributaries as are common to both countries, are exempt from any duties whatsoever.

XV. Merchandize cannot be nationalized, and consequently foreign goods exported from Brazil to Peru, or from Peru to Brazil, will pay the duties established by the respective receiving custom-houses.

XVI. Besides the respective manifest which it is customary to send, the custom-houses will forward a list of the goods in transit whenever such is required by the Inspectors.

XVII. The import and export trade of the River Javary, both on the Brazilian and Peruvian shores, will be subject to perfectly equal customs duties on the bases and under the formalities hereafter specified.

XVIII. In case of any contract with vessels or Shipping Companies for reduction of freights in the trade of the River Javary, such reduction will be common to both countries, in order that in the transport there may be the same equality as in the levying of duties.

XIX. Goods or products in transit destined to or proceeding from the River Javary will be put on special manifests separate from the rest of the cargo.

XX. India-rubber proceeding from the region of the River Javary will pay, on the occasion of its export, a tax of 10 per cent. calculated on its official value, and all other products exported from the same region will pay 7 per cent. on the same basis.

XXI. The said official value will be calculated on the last quotations for the goods or products in question on the market of Manáos, which is the most important, and the nearest to the River Javary.

XXII. Import goods (not Brazilian or Peruvian) destined to the district of the Javary, and to either of its shores, will continue subject to the duties actually paid in accordance with Brazilian legislation, until the Brazilian Congress shall constitutionally authorize the Government to make a special reduction for the mixed custom-house, which has been proposed by a Mixed Commission, in which reduction consideration will be given to the remoteness and other conditions affecting the trade of that region.

XXIII. Discrepancies in quality or quantity discovered in the process of clearing and customs inspection will entail the payment of double duties in order to avoid or repress abuses.

XXIV. The High Contracting Parties resolve to establish a Mixed Custom-house at Tabatinga, to insure the faithful execution of the foregoing stipulations affecting the import and export trade of the River Javary, the supervision of the same, and the collection of the customs duties.

XXV. The staff of this custom-house will be appointed by the Government of Brazil, the Government of Peru constituting a Fiscal Agency or Consular Representative, who will keep himself informed of the service connected with manifests, invoices, bills of lading, and certificates of entries of goods and departures of products, as well as of examinations and other processes conducted in the land or maritime depôts of the Mixed Custom-house.

XXVI. A Mixed Commission will frame regulations to be adopted in the Mixed Custom-house after their approval by the two Governments.

XXVII. The acts of the Fiscal Agency or of the Consular Representative shall be valid in the Brazilian custom-house for all customs purposes affecting import and export trading matters.

XXVIII. The sums resulting from customs duties on imports to or exports from Peru, collected by the Mixed Custom-house, will be delivered monthly to the custom-house at Iquitos, in the same form as received.

XXIX. Vessels which receive a "pass" from any of the Brazilian customs ports, bound direct to Iquitos or to any other port on the River Maranhão, or Peruvian Amazons, as well as those which leave the said ports bound to Brazilian or foreign ports, are exempted from making entries at the Mixed Custom-house at Tabatinga; such vessels will receive the fiscal and police visits only in case they land or receive passengers.

XXX. A pass, which is given gratuitously by the Mixed Custom-house, is indispensable for the entrance of vessels into the River Javary, and once the products derived from that district are cleared at the said custom-house, the cargoes will proceed to their destination free from any further inspection or duties, or other taxes whatsoever.

XXXI. For the better exercise of custom-house supervision, and in order to facilitate commercial relations between the Republics of Brazil and Peru in the district of the Javary, the Government of Brazil undertakes to extend its telegraphic line to Tabatinga, and Peru undertakes to continue the same from the said frontier to Iquitos, where the principal Peruvian frontier custom-house is now established.

XXXII. In case of an embargo being placed on goods or on the vessels or smaller craft conveying them, in consequence of infringement of the Police Regulations concerning the free river transit, the High Contracting Parties stipulate that such embargo shall be raised on the presentation of guarantee or security sufficient to secure the value of the goods detained.

Similarly, when the infraction is punishable only by a fine, the offender will be allowed to continue his journey on giving security

for the amount of such fine, and its effective payment within a convenient period.

XXXIII. Should a vessel of one of the High Contracting Parties be wrecked or damaged, or be abandoned on the river-shore belonging to the other Power, every possible assistance and protection shall be given to the ship and her crew ; and the vessel, or any part of her, all her equipment and appurtenances, and all the effects and merchandize which may be saved, or their product in case of sale, shall be faithfully delivered to the owners, or to duly authorized agents.

In the absence of the latter, delivery shall be made to the respective Consul or Vice-Consul, on payment only of the expenses incurred in the preservation of the property, or any others which may be paid in similar cases by national vessels when wrecked ; and, in cases of such shipwreck or damage, permission shall be given to land, if necessary, the effects or merchandize which may be on board, without exacting any duty therefor, unless the articles are intended for sale or consumption in the country where so landed.

XXXIV. Both Republics will, for the benefit of navigation, in their river ports, abolish the former taxes, known as light and buoy dues, and will substitute therefor one tax only, on tonnage, as recommended by the Washington Congress, which tax will be levied on the gross tonnage, that is, on the total capacity of the vessel.

The said tax will be levied only on vessels coming direct to their ports, or on such as come indirectly (cases of *force majeure* excepted), when they embark or discharge cargo.

XXXV. The maximum tax on tonnage will be:—

In Brazil, 40 milreis, and in Peru, 20 soles, for vessels of and under 200 tons ;

In Brazil, 60 milreis, and in Peru, 30 soles, for vessels over 200 and of and under 400 tons ;

In Brazil, 80 milreis, and in Peru, 40 soles, for vessels over 400 and of and under 700 tons ;

In Brazil, 100 milreis, and in Peru, 50 soles, for vessels over 700 tons.

XXXVI. The following vessels are exempt from payment of tonnage dues:—

1. Transports and ships of war ;
2. Craft measuring less than 25 tons ;
3. Vessels which, from any unforeseen or irresistible cause, are compelled to abandon their true course and take refuge in the port ;
4. Yachts and other pleasure vessels.

XXXVII. River transits cannot be burdened, directly or indirectly, with any tax, whatever may be its denomination or object, beyond those hereinbefore stipulated, viz. :—

Landing and warehousing dues, as provided by Article VI, on goods deposited ;

The tonnage dues on vessels, imposed by Article XXXIV ; and
The stamps or stamped paper, referred to in Article XIII.

XXXVIII. The Republics of the United States of Brazil and Peru bind themselves respectively not to allow the seizure and abduction of aborigines from the territory of one Power to that of the other, and such as are thus violently removed shall be restored to the respective frontier authorities as soon as demanded.

XXXIX. The River Treaty of the 22nd October, 1858, is hereby cancelled, and the present Treaty is substituted therefor.

XL. The present Treaty will remain in force for five years, entering into operation ninety days after the exchange of ratifications. On the expiration of the five years the Treaty will continue in force until one of the High Contracting Parties shall notify to the other its desire to terminate the same, and it will determine and cease in all its effects twelve months from the date of such notification.

XLI. The Government of Brazil will procure the approval of all such Articles of this Treaty as, according to the Federal Constitution, are within the exclusive competency of the Congress of the State of Amazonas.

Only after approval of such Articles by said Congress will the present Treaty be ratified in accordance with the legislation of each country, the ratifications being exchanged at Lima, Rio de Janeiro, or other place which may be appointed.

In witness whereof the Plenipotentiaries of the Republics of Brazil and Peru have hereunto affixed their signatures and seals.

Done at Rio de Janeiro, this 10th day of the month of October, 1891.

(L.S.) JUSTO LEITE CHERMONT.

(L.S.) GUILLERMO A. SEOANE

*DÉCLARATION entre la France et la Russie pour régler le
Paiement des Salaires dus aux Marins Français et Russes,
ainsi que la remise des successions des Marins décédés des
deux Nations.— Signée à Saint-Pétersbourg, le $\frac{8}{26}$ Novembre,
1891.*

Le Gouvernement de la République Française et le Gouvernement Impérial de Russie, ayant reconnu utile de régler dans certains cas le mode de paiement des salaires dus aux marins Français et Russes, ainsi que la remise des successions des marins sujets de l'un des deux États, sont convenus des dispositions suivantes :—

ART. 1^{er}. Les salaires et les sommes dus à un marin Russe qui a servi à bord d'un navire Français et dont il a été débarqué, soit en France, soit dans ses Colonies, soit sur le territoire d'un État étranger quelconque, seront délivrés au Consul de Russie le plus voisin du port de relâche ou de désarmement du bâtiment, dans le cas où l'ayant droit n'aurait pu recevoir les gages qui lui sont acquis, par suite d'absence ou de tout autre motif. Il sera procédé de la même manière à l'égard des effets ou objets appartenant au marin et que celui-ci n'aurait pu emporter au moment de son débarquement.

De même les salaires et les sommes dus à un marin Français qui a servi à bord d'un navire Russe et dont il a été débarqué, soit dans l'Empire de Russie, soit sur le territoire d'un État étranger quelconque, seront délivrés au Consul de France le plus voisin du port de relâche ou de désarmement du bâtiment, dans le cas où l'ayant droit n'aurait pu recevoir les gages qui lui sont acquis, par suite d'absence ou de tout autre motif. Ces dispositions sont applicables aux effets et autres objets que le marin n'aurait pu emporter au moment de son débarquement.

Il est supposé, toutefois, que les circonstances ou la législation du pays auquel appartient le navire ne mettent pas d'empêchement judiciaire à la délivrance de ces sommes d'argent et de ces objets ou effets, soit au marin lui-même, soit à ses Représentants.

II. La succession de tout marin Russe qui serait mort à bord d'un navire Français, soit en France, soit dans ses Colonies, soit sur le territoire d'un autre État étranger quelconque, sera délivrée au Consul de Russie le plus voisin du port où le décès a eu lieu, sans l'exécution des formalités généralement exigées par la loi Française pour la remise des héritages.

De même la succession de tout marin Français qui serait mort à bord d'un navire Russe, soit en Russie, soit sur le territoire d'un autre État étranger quelconque, sera délivrée au Consul Français le plus voisin du port où le décès a eu lieu, sans l'exécution des formalités généralement exigées par les lois Russes pour la remise des héritages.

III. Dans les cas, mentionnés aux Articles 1 et 2, de délivrance d'argent ou d'objets, il sera remis en même temps au Consul de la nation à laquelle appartient le marin un compte des sommes qui lui seront déposées et, suivant les circonstances, une liste des objets ou effets qui lui seront confiés.

IV. Le terme "marin" employé dans cette Déclaration comprend tout individu engagé à un titre quelconque à bord d'un bâtiment. Le terme "succession" comprend toute propriété, argent dû et effets laissés par un marin décédé, ainsi que ses papiers personnels. Le terme "Consul" comprend tout Consul-Général, Consul, Vice-

Consul, ou toute personne chargée de la gestion intérimaire d'un Consulat-Général, d'un Consulat ou d'un Vice-Consulat.

V. La présente Déclaration est conclue pour trois années et entrera en vigueur à partir du jour de la signature. A l'expiration de ce terme, la Déclaration continuera d'être obligatoire, d'année en année, tant que l'une des deux Parties Contractantes n'aura pas fait connaître à l'autre, un an à l'avance, son intention d'en faire cesser les effets.

En foi de quoi les Soussignés, dûment autorisés à cet effet, ont dressé la présente déclaration et y ont apposé le sceau de leurs armes.

Fait à Saint-Pétersbourg, en double exemplaire, le $\frac{2}{16}$ Novembre, 1891.

(L.S.) VAUVINEUX.

(L.S.) CHICKINE.

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